



Promotion of Access to Information Act 2 of 2000 (the PAIA Act)

Manual

TABLE OF CONTENTS

1.	Functions	2
2.	Purpose	2
3.	Business and Management Structure	2
4.	Contact Details	2
5.	Information Requests	2
6.	Voluntary Disclosure	2
7.	Access Form	2
8.	Access Fees	3
9.	Procedure to request a record	3
10.	Record types that may be accessed	3
11.	Records that cannot be found or do not exist	4
12.	Decision on request and notice thereof	4
13.	Grounds for refusal of access to records	4
14.	Third Party notification and intervention	4
15.	Deposit	4
16.	Table of Fees	5
17.	Application form	6



1. FUNCTIONS

The OUTvest Retirement Annuity Fund, Pension Preservation Fund and Provident Preservation Fund (collectively referred to as 'Funds') are registered pension funds as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Promotion of Access to Information Act ('PAIA Act').

2. PURPOSE:

The purpose of the Funds is:

To provide benefits for the Members of the Funds on their retirement or upon the death of such Member.

3. BUSINESS AND MANAGEMENT STRUCTURE

The Funds conduct its business from a centralised Office situated in Centurion, Gauteng.

3.1. Board of Trustees

C Mestern (Chairperson), BSP Myeza, SA Oberholzer, MW van der Watt, VF Memani-Sedile, L Pretorius.
Principal Officer: M de Klerk.

4. CONTACT DETAILS

Information Officer:	Mr Mark de Klerk
Phone:	+ 27 (0) 12 749 5621
E-mail:	deklerkm@out.co.za
Postal Address:	P.O. Box 8443 Centurion 0046
Physical Address:	1241 Embankment Road Centurion 0157

5. INFORMATION REQUESTS

In terms of Chapter 1, Section 50 of the PAIA Act, any person may request access to information from the Funds provided that:

1. The record is required for the exercise or protection of any rights;
2. The requester complies with the procedural requirements as defined in the PAIA Act for a request to access a record;
3. Access to a record is not refused on any ground for refusal as contemplated in the Act.

In terms of Section 23 of the Protection of Personal Information Act (POPIA) a data subject has the right, having provided adequate proof of identity, to:

1. Request to confirm, free of charge, whether or not the Funds hold personal information about the data subject; and

2. Request the record or a description of the personal information held by the Funds, including information about the identity of all third parties, or categories of third parties, who have, or have had access to the information –
 - a. Within a reasonable time;
 - b. at a prescribed fee;
 - c. in a reasonable manner and format; and
 - d. in a form that is generally understandable.

6. VOLUNTARY DISCLOSURE

In terms of section 52 of the Act, the following categories of records are available without a person having to request access:

1. Investment Policy Statement;
2. Complaints resolution policy;
3. Code of conduct;
4. Fund Rules;
5. Annual Report of the Funds;
6. Annual Financial Statements;
7. Privacy policy; and
8. Access to information manual.

Information is available on request or on the OUTvest website: www.outvest.co.za

7. ACCESS FORM

The Funds will entertain a request for access to a record as defined in terms of Chapter 3, Section 53 of the PAIA Act provided that, the request is received on the prescribed form and addressed to the contact person as given in **paragraph 4** above. A form for use is added to this manual.

8. ACCESS FEES

In terms of Chapter 3, Section 54 of the PAIA Act, unless it is a ***personal request**, a request fee will be levied as prescribed before any further processing is made.

***A personal request means a requester seeking access to a record containing personal information that concerns them.**

9. PROCEDURE TO REQUEST A RECORD

- a) The following is the basic procedure to be followed when requesting a record.
- b) The attached application form must be completed providing as much detail as possible.
- c) The Funds will only process your application if it is received on the prescribed form.

When completing the form:

- 1. Provide your full personal and contact details;
- 2. If you are acting on behalf of another person, state in what capacity, for example, legal guardian, next of kin etc. Note that proof of capacity must be attached;
- 3. If you are making the request on behalf of another person, you must provide that person's full names and identity number;
- 4. Provide a detailed description of the record required providing any reference numbers if possible;
- 5. If the request is for a record other than a record containing personal information about you, then prescribed fees are payable. Should you qualify for exemption full details must be provided;
- 6. If you are unable to read, view or listen to the record requested due to disability, you must provide details of your disability and, in what form we must supply the record to you;
- 7. Mark with an (X) the appropriate record type option as provided on the form i.e., written, visual, audio or data that you require;
- 8. The "right" to be exercised or protected by you must be detailed as well as the reason for exercising or protecting this right;
- 9. The form must be dated and signed in the places provided for this purpose;
- 10. Once you have completed the application form it must be posted to, the Information Officer at the address given on the form or, faxed/e-mailed/delivered to the offices of the Fund as provided in the manual;
- 11. On receipt of your application, the Information Officer at the Fund will make a decision based on the information provided;
- 12. You will then receive a written notification based on the decision made and advising you further.

Please note that all attachments/additional folios that you add to the form must be signed by you.

10. RECORD TYPES THAT MAY BE REQUESTED

- a) Personal Records or Information
- b) Financial Records
- c) Product Information
- d) Advertising pamphlets and brochures
- e) Information Technology Records
- f) Fund records
- g) "Other Parties" Records**

** Other Parties records are defined as those records pertaining to other parties held by the Fund or vice versa.

The following records are available for inspection at the registered address of the Funds at no charge:

- a) the last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956 (Pension Funds Act);
- b) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act;
- c) any scheme which is being carried out by the Funds in accordance with the provisions of section 18 of the Pension Funds Act.

Fund Members will be able to access their own information on their personal online profile provided through the Funds' Administrator. Any person who wishes to be given access to information that is deemed to belong to the Funds or any of its other Members must follow the request for access to information procedure.

11. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

In terms of Chapter 3, Section 55 of the Act, the Funds will after all reasonable steps have been taken to find the record requested, notify the requester as prescribed by affidavit or affirmation should the record not be found or, does not exist.

12. PROTECTION OF PERSONAL INFORMATION

12.1 The Protection of Personal Information Act provides for the lawful processing of personal information by a Responsible Party subject to the following conditions: Accountability, Processing Limitation, Purpose specific, Further Processing Limitations, Information Quality and Openness, Security Safeguards and Data Subject Participation.

12.2 The Funds are required to process personal information in order to conduct its business operations specifically within the financial services sectors. For the purposes of POPIA, the Funds are a Responsible Party as it determines the purpose of and means for processing personal information.

12.3 The Funds undertakes:

- to process personal information lawfully and in a transparent manner;
- to process personal information only for the purpose for which it was collected;
- not to subject the personal information to further processing unless it is compatible with the purpose for which it was collected;
- to ensure that personal information which it processes is complete, accurate, not misleading and is, where necessary, updated;
- To not retain the personal information for a period longer than what is necessary;
- To ensure that the integrity and confidentiality of personal information under its possession is secured by taking appropriate, reasonable technical and organisation measures to prevent loss, damage, unauthorised destruction or unlawful access to or processing of personal information,
- To process personal information in accordance with the rights of Data Subjects as provided for in POPIA which include:
 - i) to be notified that their personal information has been collected by the Funds;
 - ii) being notified whether their personal information has been accessed or acquired by an unauthorised person;
 - iii) to know if the Funds hold any of his/her personal information and to access that information which requests for access must be made in accordance with this Manual;

- iv) request the deletion or correction of their personal information;
- v) to object, on reasonable grounds relating to their particular situation to the processing of their personal information as provided for in Section 11(3)(a) of POPIA;
- vi) object to process of their personal information for the purposes of direct marketing;
- vii) submit a complaint to the Information Regulator;
- viii) to institute civil proceedings regarding the alleged interference with the protection of their personal information.

12.4 The Funds may only process information for specific purposes which purposes are for the provision of financial services. This includes processing information for the purposes of reporting to Industry and Regulatory Bodies which include, but are not limited to, the Financial Sector Conduct Authority, the Prudential Authority, Information Regulator, the Financial Intelligence Centre and law enforcement agencies,

12.5 The Funds processes personal information of various categories of Data Subjects which may include both juristic and natural persons. This includes the following:

Natural Persons (Members): Name, ID number, age, ethnic group, gender, date of birth, contact numbers, email and residential address, nationality, country of birth, financial details, tax information, bank details, source of funds, income, expenses, liabilities, savings, details of beneficiaries or dependants, details of other investment and/or retirement information or financial products. Contributions, investment choice/selection and financial advisor details. Identification and other verification data (where applicable) such as a copy of ID or passports, birth certificate, marriage certificate, proof of residence, beneficial ownership. Claim related data including: death certificate, medical opinions or certificates, certificate of divorce (including religious beliefs for purposes of marriage laws), section 37D deduction instructions, court orders against benefits, tax directives and certificates and payment history.

Natural Persons
(Fund Officials)

Name and surname, identity or passport numbers, financial history, employment history, banking details, , salary information, performance records, disciplinary records, leave records, training records, qualifications, spouses information, contact numbers, e-mail address, physical and postal address, vehicle registration details, ethnic group, gender, marital status, disabilities, biometric information, criminal background

Juristic Persons:

Company incorporation documents, registration number, company name and trading name, contact persons, directors or members details, nature of business, contact details, physical and postal address, e-mail address,



financial information, insurance history, claims history, BBEEE Certificates, Banking details.

- 12.6 The Funds may provide a Data Subjects' personal information to a number of third parties for the purposes of conducting its business operations. These third parties include industry bodies (SAICB and SAIA), regulatory bodies (Financial Sector Conduct Authority and Prudential Authority), credit bureaus, law enforcement agencies, third party service providers, payment system providers, identification and verification service providers (for FICA purposes), external auditors, subsidiaries or related or inter-related persons.
- 12.7 The Funds may transfer personal information to a third party who is in a foreign country in order to administer certain services, but may only do so subject to the provisions of POPIA. Whenever we transfer your personal information out of the country, we will ensure a similar degree of protection is afforded to it by ensuring that we will only transfer your personal information to countries that have been deemed to provide an adequate level of protection for personal information or our agreements with said parties will ensure this.
- 12.8 We value the privacy of your information and will take reasonable steps to protect your personal information from loss, misuse or unauthorised alteration and/or access. The information we maintain concerning our members, our Fund Officials and applicants is stored in databases that have built-in safeguards to ensure the privacy and confidentiality of that information. The Funds (through its administrator) uses state of the art technology, anti-virus, firewalls, password protection, security monitoring and scanning to prevent any unauthorised access to your personal information. We keep up to date with latest global developments in security technology to ensure that your transactions and personal information stored with us is adequately secured and protected at all times.
- 12.9 Data Subjects are entitled to object, at any time, to the processing of their personal information subject to any exceptions set out in POPIA. Objections must be completed in the prescribed form attached hereto as Form 1.
- 12.10 Data Subjects may, subject to any exceptions set out in POPIA, request the correction or deletion of their personal information. The request for correction or deletion must be completed and submitted in the prescribed form attached hereto as Form 2.

13. DECISION ON REQUEST AND NOTICE THEREOF

In terms of Chapter 3, Section 56 of the Act, the Funds will respond to the request as soon as possible within 30 days as per the provisions prescribed and notify the requester of the decision made.

14. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

In terms of Chapter 4 of the Act, the Funds reserve their right to refuse and/or grant access to records in accordance with the sections and subsections of this chapter.

15. THIRD PARTY NOTIFICATION AND INTERVENTION

In terms of Chapter 5 of the Act and its sections and sub-sections, the Funds will take all reasonable steps to

inform a third party of a request received that pertains to them in the manner so prescribed in this chapter.

16. DEPOSIT

In terms of section 54 (2) of the Act, the Funds may require a deposit in cases where searching for the record exceeds 6 hours. The deposit will represent one third of the access fee payable by the requester.

17. INFORMATION REGULATOR OF SOUTH AFRICA PAIA GUIDE

The Information Regulator has updated the PAIA guide, to enable any person who reasonably wishes to exercise any right contemplated in PAIA and POPIA.

The guide is available here: <https://www.inforegulator.org.za/index.html>

18. RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

All records kept and/or information processed in terms of legislation are available in accordance with said legislation and applies (where applicable), but not limited, to:

Administration of Estates Act 66 of 1965

Basic Conditions of Employment Act, 75 of 1997

Compensation of Occupational Injuries and Diseases Act 130 of 1993

Competition Act 71 of 2008

Electronic Communications and Transaction Act 25 of 2002

Employment Equity Act 55 of 1998

Financial Advisory and Intermediary Services Act 37 of 2002

Financial Intelligence Centre Act 38 of 2001

Income Tax Act 58 of 1991

Inspection of Financial Institutions Act 80 of 1998

Insurance Act 18 of 2017

Labour Relations Act 66 of 1995

Long-term Insurance Act 52 of 1998

Pension Funds Act 24 of 1956

Policyholder Protection Rules



Protection of Personal Information Act 4 of 2013

Unemployment Insurance Act 30 of 1996

Value-added Tax Act 89 of 1991

19. TABLE OF FEES

Ref.	Charges	Cost
1.	Electronic PDF copy of the Manual	Free
2.	Posted Paper Copy of the Manual	R 40.00
3.	Request Fee (Other than a personal requestor)	R 140.00
4.	Access Fee: Electronic Record Format: A4 per page	R 0.75
	Reproduce: Electronic Record Format: A4 per page	R 0.75
5.	Access Fee: Photocopy Record Format: A4 per page	R 2.00
	Reproduce: Photocopy Record Format: A4 per page	R 2.00
6.	Access Fee: Record on Flash Disc	R 40.00
	Record on Compact Disc	R 60.00
7.	Access Fee: Transcription of Visual Images: A4 page	R 40.00
	Reproduce: Transcription of Visual Images: A4 page	R 40.00
8.	Access Fee: Copy of Visual Images	R 60.00
	Reproduce: Copy of Visual Images	R 60.00
9.	Access Fee: Transcription of Audio record: A4 page	R 24.00
	Reproduce: Transcription of Audio record: A4 page	R 24.00
10.	Access Fee: Copy of Audio record	R 40 .00
	Reproduce: Copy of Audio record	R 60.00



20. APPLICATION FORM

REQUEST FOR ACCESS TO A RECORD (Section 53(1) of the Promotion of Access to Information Act)

(Act No. 2 of 2000)

To:

The Information Officer
OUTvest Retirement Funds
PO Box 8443
Centurion
0046

Email Address: deklerkm@out.co.za

Request Details

Particulars of person requesting access to the record

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:

(Proof of the capacity in which the request is made, if applicable, must be attached.)

Particulars of person on whose behalf request is made

(This section must be completed ONLY if a request for information is made on behalf of another person.)

Full names and surname:

Identity number:

Particulars of record

- a. *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.*
- b. *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.*

Description of record or relevant part of the record

.....

.....

.....

Reference number, if available:

Any further particulars of record:

.....

.....

.....

.....

Fees

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

Reason for exemption from payment of fees:

.....

.....

.....

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:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

(Mark the appropriate box with an X)

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

- Copy of the record ☐
- Inspection of the record ☐

2. If the record consists of visual images:

- View the images ☐
- Copy of the images* ☐
- Transcription of the images* ☐

3. If the record consists of recorded words or information which can be reproduced in sound:

- Listen to the soundtrack ☐
- Transcription of the soundtrack* ☐

4. If the record is held on computer or in an electronic or machine-readable form:

- Printed copy of the record* ☐
- Printed copy of information from the record ☐
- Copy in computer readable form (flash drive or compact disc) ☐

*If you requested a copy or transcription of a record, do you wish the copy or transcription to be posted to you? Yes ☐ No ☐ If yes, postage is payable. ☐



Particulars of right to be exercised or protected

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

Indicate which right is to be exercised or protected:

.....
.....

Explain why the record requested is required for the exercise or protection of the said right:

.....
.....

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 advised 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 BEHALF OF REQUESTER



FORM 1

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF
THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION,
2018

[Regulation 2]

To:
The Information Officer
OUTvest Retirement Funds
PO Box 8443
Centurio
n
0046

Email Address: deklerkm@out.co.za

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/registered name of data subject:	

<i>Unique identifier/ Identity Number:</i>	
<i>Residential, postal or business address:</i>	
<i>Contact number(s):</i>	
<i>Fax number/E-mail address:</i>	
B	DETAILS OF RESPONSIBLE PARTY
<i>Name(s) and surname/registered name of responsible party:</i>	
<i>Residential, postal or business address:</i>	
<i>Contact number(s):</i>	

Fax number / Email address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1){d) to (f) (Please provide detailed reasons for the objection)

Signed at this day of 20

Signature of data subject/designated person



FORM2

***REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR
DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)***

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

To:

The Information Officer
OUTvest Retirement Funds
PO Box 8443
Centurio
n
0046

Email Address: deklerkm@out.co.za

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

- ☐ *Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.*
- ☐ *Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.*

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	

Residential, postal or business address:	
Contact number(s):	
Fax number / E- mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS</p>

	<p>OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p>(Please provide detailed reasons for the request)</p>

Signed at this day of20

Signature of data subject/ designated person