



**MANUAL ON ACCESS TO INFORMATION HELD BY**

**eFUND UMBRELLA PROVIDENT FUND (“eFund”)**

**Registration No: 12/8/35925/1**

COMPILED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, NO 2 OF 2000 (AS AMENDED)

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## **1. INTRODUCTION**

- 1.1. This manual is compiled in terms of the Promotion of Access to Information Act, No 2 of 2000 ("PAIA") and the Protection of Personal Information Act No 4 of 2013 ("POPIA").
- 1.2. The PAIA gives effect to the constitutional right of access to information contained in section 32 of the Constitution of the Republic of South Africa.

## **2. THE eFUND**

- 2.1. The eFund is a Retirement Fund established in terms of the Pension Funds Act, 24 of 1956 ("PFA").
- 2.2. The objectives of the eFund are to:
  - 2.2.1. Provide retirement and risk benefits,
  - 2.2.2. Ensure transparency and proper communication with stakeholders,
  - 2.2.3. Provide appropriate benefit and investment structures,
  - 2.2.4. Reduce escalating costs, poor administration and claims disputes.

## **3. THE FUNCTIONS OF THE eFUND**

- 3.1. To offer Employers and their Employees a range of retirement and associated risk benefits, without the time-consuming effort of managing the arrangement themselves.
- 3.2. To offer a very flexible benefit design structure to suit the needs of various employee groups within the same employer.
- 3.3. The functions of the eFund in terms of the Pensions Fund Act ("PFA") are, but not limited to the following:
  - 3.3.1. Register and administrate the eFund in terms of the PFA and regulations,
  - 3.3.2. Appoint a Board of Trustees and manage the eFund in terms of the PFA and regulations,
  - 3.3.3. Appoint a Principal Officer who will oversee the management, administration and communication of the eFund in terms of the PFA and regulations,
  - 3.3.4. Appoint an Auditor to audit the financials of the eFund independently,
  - 3.3.5. Appoint a Valuator to have the financial condition of the eFund investigated and reported in terms of the PFA and regulations,
  - 3.3.6. Register the Rules and Amendments to the rules in terms of the PFA and regulations,
  - 3.3.7. Administer the collection of contributions and premiums,

- 3.3.8. Process benefit claims in terms of the PFA and regulations,
- 3.3.9. Investigate complaints received from employers and members and provide the information and records necessary to solve the complaint, and
- 3.3.10. Provide educational communication to the employers and members.

#### 4. INFORMATION OFFICER OF THE eFUND

4.1. The Principal Officer of the eFund, Mr. Willem Jacobus Snyman, is the designated Information Officer of the eFund. The contact details of the Information Officer are as follows:

Name	Contact numbers	Email address
Mr. Willem Jacobus Snyman	+27 82 456 1418	<a href="mailto:willie@mastercoaching.co.za">willie@mastercoaching.co.za</a>

Physical Address	Postal Address
569 Rembrandt Avenue Faerie Glen Pretoria 0081	P O Box 11380 Hatfield 0028

- 4.2. The eFund's website is [www.efundumbrella.co.za](http://www.efundumbrella.co.za)
- 4.3. Requests for information and access to records not readily available, may be made by contacting the Information Officer.

#### 5. A GUIDE ON HOW TO USE PAIA (S14 (1) (c) of the Act

- 5.1. The South African Human Rights Commission ("SAHRC") is responsible for and has developed a guide in each of the country's eleven languages, with information on how to use PAIA. This guide is available on the SAHRC website.
- 5.2. Any information or queries related to the guide should be directed to:

##### **The South African Human Rights Commission**

The Research and Document  
Department PAIA Unit  
Private Bag 2700  
Houghton 2041  
**Telephone:** +27 11 877 3600  
**Fax:** +27 11 403 0625  
**Website:** [www.sahrc.org.za](http://www.sahrc.org.za)  
**Email:** [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## 6. RECORDS HELD BY THE eFUND:

- 6.1. Fund Rules
- 6.2. eFUND Certificate of Registration
- 6.3. SARS tax approval letter
- 6.4. Fund Register with Trustee and Principal Officer details
- 6.5. Fund Trustee Board minute book
- 6.6. Fund Membership Statements
- 6.7. Practice Notes
- 6.8. Trust Deeds
- 6.9. Investment Mandates
- 6.10. Investment Policy Statement
- 6.11. Risk Benefit Policies
- 6.12. Contracts with Service Providers
- 6.13. Correspondence with Regulatory Authority ("FSCA")
- 6.14. Member Records with detailed information as allowed by PAIA
- 6.15. Contribution history
- 6.16. All the costs paid by the member
- 6.17. All instructions received from a member
- 6.18. Investment returns received by the member
- 6.19. Total Fund Credit Member Share
- 6.20. Nomination of Beneficiaries (in the event of a Member's death)
- 6.21. Progress on the application of benefits
- 6.22. Investment performance
- 6.23. Details of Asset Managers
- 6.24. Member Communications, Newsletters and Brochures
- 6.25. Member's explanatory booklets
- 6.26. Member's contribution details

- 6.27. Medical records for underwriting purposes
- 6.28. Benefit Statements
- 6.29. New entrant statements
- 6.30. Recognition of Transfers, Section 14 transfers in and out of the eFund, Termination, Liquidation and Deregistration records.
- 6.31. Dependant details
- 6.32. Historical benefits paid
- 6.33. Loan applications
- 6.34. Trustee Fidelity and Indemnity cover policies

## **7. PROCEDURE FOR PAIA REQUESTS**

- 7.1. Any person may make a request for access to a record of the eFUND.
- 7.2. A request must be made in writing addressed to the Information Officer using the contact details set out in clause 4 above.
- 7.3. The request must contain the name and contact details of the requester and it must provide sufficient details to enable the eFUND to identify the record requested. The requester should also indicate the form in which access to the record is requested.
- 7.4. Where the request is made on behalf of another person, the requester must submit proof, in the form of an affidavit or letter of consent, of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

## **8. PAYMENT OF FEES (S 22 of PAIA)**

- 8.1. A requester who seeks access to a record containing personal information about that requester is not required to pay a request fee. Every other requester, who is not a personal requester, must pay the required request fee as provided by the Information Officer. Upon receipt of the PAIA request, the eFUND shall endeavour to consider and provide a response to each request within the prescribed thirty (30) days. When necessary, the eFUND may extend the period of thirty (30) days for a further period of thirty (30) days in order to finalise the request.

## **9. CONSIDERING THE REQUEST**

- 9.1. Requests for records for the purpose of criminal or civil proceedings are dealt with in terms of section 7 of the Act. Section 7(1) provides as follows:  
*“the Act does not apply to a record of a public body or a private body if*

- (a) that record is requested for the purpose of criminal or civil proceedings;*
- (b) so requested after the commencement of such criminal or civil proceedings, as the case may be;*
- (c) the production of or access to that record for the purpose referred to in paragraph (a) is provided in law.”*

- 9.2. If section 7(1) applies to a request, then the requester must use the rules and procedures for discovery of information related to the particular legal proceedings.
- 9.3. The eFUND may refuse access to Fund records where requests are clearly frivolous and / or vexatious.

## **10. DECISION OF THE eFUND**

- 10.1. As prescribed in section 25 of the Act, the Information Officer shall decide whether to grant the requested access to information and inform the requester accordingly. The requester shall be notified of the decision in the most expedient manner possible.
- 10.2. If the request for access to information is refused by the Information Officer, the requester shall be provided with written reasons for such refusal.

## **11. RIGHT TO CHALLENGE DECISION**

- 11.1. The eFUND is not a public body referred to in paragraph (a) of the definition of “public body” in section 1 of the Act. Therefore, no internal appeal lies against the decision of the Information Officer regarding access to information.
- 11.2. If a requester does not agree with the decision, the requester may apply, within 180 days of being advised of the Information Officer’s decision, to the High Court having jurisdiction, for an appropriate order.
- 11.3. A requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:
  - 11.3.1. The amount of fees required to be paid; and / or
  - 11.3.2. The extension of the period within which the information will be provided.

## **12. AVAILABILITY OF THE MANUAL**

- 12.1. The manual is available in electronic and hard copy in English.

## **13. UPDATING OF THE MANUAL**

This manual will be updated on a periodic basis but no less than once each year.

#### **14. PROCESSING OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013**

- 14.1. The eFUND must collect and use information, including personal information as defined in the Protection of Personal Information Act (“POPIA”), to the extent that it is necessary to properly perform the functions, obligations and duties referred to in paragraph 3.
- 14.2. The following entities process personal information of the data subjects provided in paragraph 6 on behalf of the eFUND:
  - 14.2.1. Supervised entity and persons. This includes financial organisations, investment institutions, collective investment schemes, administrator of the retirement fund, long term insurers, other financial services providers, as well as the managers and employees of these organisations.
  - 14.2.2. Third party suppliers
  - 14.2.3. Other regulatory bodies
- 14.3. The following categories of personal information are processed to fulfil the functions outlined in paragraph 3.
  - 14.3.1. Identifying number (employee number; eFund member number, ID number/Passport number)
  - 14.3.2. Email-addresses, physical address, telephone number
  - 14.3.3. Names, surname, marital status, age, physical health status, disability status, language, birthplace, date of birth.
- 14.4. Personal information is only disclosed if it is necessary to fulfil our legislative mandate as provided for in the Pension Funds Act (“PFA”), Long term Insurance Act and other applicable legislation for administrative purposes.
- 14.5. The recipients of information include eFUND service providers and other regulators.
- 14.6. Where appropriate, we request the third parties with whom we share information with, to take adequate measures and comply with applicable data protection laws and protect the information we are disclosing to them. We do this through contractual arrangements with these third parties. We also take internal measures to ensure that the third parties we appoint have appropriate measures to protect the information we provide to them. The



Administrator of the eFUND employs security controls, electronic and physical that are designed to maintain confidentiality, prevent loss of, unauthorized access and damage to information by unauthorised parties. The cyber security strategy of the Administrator is aligned to industry standard frameworks to ensure effective cyber security risk management for the organisation. They conduct continuous security vulnerability assessments to improve their security posture and provide assurance to all their stakeholders.

14.7. Data subject have the following remedies where there's interference with the protection of their personal information by the eFUND:

14.7.1. Lodge a complaint with the eFUND Information Officer, and where unsatisfied, lodge the complaint with the Information Regulator in the prescribed manner and form.

14.7.2. Institute civil action for damages in a court having jurisdiction.