



## PRIVACY STATEMENT

### **1. Purpose of this Privacy Statement**

This Privacy Statement explains how the University of South Africa Retirement Fund (“the Fund”) processes the personal information collected from you and also informs you of your rights in terms of the Protection of Personal Information Act, Act No. 4 of 2013 (“POPIA”). You have the right to be notified that your personal information is being collected, which is why this privacy statement has been brought to your attention and is important to you.

### **2. Collection and use of Personal Information**

Personal information is defined in POPIA and means information relating to an identifiable, living natural person, and where it is applicable, an identifiable, existing juristic person. We “process” your personal information if we collect, use, store, make available, destroy, update, disclose, receive or otherwise deal with your personal information.

The main purpose of the Fund is to provide benefits to Members on leaving the Fund, or at retirement, or to make payments to Beneficiaries should a Member pass away whilst being a Member of the Fund, as detailed in the registered rules of the Fund. The personal information that we collect and process for Members is used mostly for this reason. The Fund must also collect and process your personal information to comply with the laws of South Africa.

#### **2.1. Personal Information collected by the Fund**

We may process the following types of personal information: your name, surname, identity and/or passport number, contact details, salary information, information about your beneficiaries (including information of children), demographic information (e.g. age, race), financial information including bank account details, tax information, records of claims, and in specifically applicable cases, your health or medical information, including disability status.

#### **2.2. The purpose of collecting Personal Information**

The information we collect is the minimum information we require to manage and administer your benefit in the Fund. Your information is used, for example, to provide you with Fund benefits, keep your records updated, make payments to you or your Beneficiaries, contact and communicate with you, and to comply with the laws of South Africa, primarily the Pension Funds Act and the Income Tax Act.

We may further process your information if it is compatible with the purpose for which it was collected, for instance to conduct statistical and any audit, operational, marketing, auditing, legal and record-keeping requirements or to trace your contact information through a tracing agent if you are uncontactable and/or to comply with any regulation or conduct standard relating to unclaimed assets.

### **3. Who Receives Your Personal Information?**

We will not collect your personal information without your consent, except where it is required or permitted by law. We collect most of the personal information we process directly from you or authorised representative, for example when an application form or take-on form is completed.

We also collect or process personal information we obtain from third party sources. This may include but is not limited to your Employer and we provide it to the Fund's appointed service providers, so that they can provide the services agreed to in terms of formal signed agreements.

We may, depending on the type of service, transfer personal information to an auditor, a local or foreign regulator (including but not limited to the Financial Sector Conduct Authority, the Reserve Bank, the South African Revenue Services and the Financial Intelligence Centre), a tax administrator, a legal advisor, a financial intermediary appointed by the data subject, a forensic investigation service (internal or external), or a service provider providing administrative support services or accounting services to you or us. We may provide your limited personal information to our fund managers, or third parties that manage the funds you invest in, for purposes of fee calculations and distribution- related activities. We will ensure that such third parties are restricted by obligations of confidentiality to only use the information for the required purpose and that they will apply strict security measures to the personal information we share with them and comply with all relevant laws.

### **4. Protection and Security of Personal Information**

We take the security of your information very seriously and have implemented reasonable technical and operational measures to protect your information from loss, misuse, unauthorised access, disclosure, alteration or destruction, and ensure that all our service providers do so too.

We will require that all service providers have the necessary cyber security and processes in place to protect your personal information from cyber-attacks.

### **5. Your Rights as a Data Subject**

You have the right to have your personal information processed in accordance with the conditions for the lawful processing of personal information as set out in POPIA. You also have the rights as set out below which we need to make you aware of.

#### **5.1. Right of Access**

In terms of section 23 of POPIA, you are entitled to request us to:

- 5.1.1. Confirm, free of charge, whether or not we hold personal information about you.
- 5.1.2. Provide a record or a description of the personal information we hold, including information about the identity of all the third parties, or categories of third parties who have, or have had, access to the personal information.
- 5.1.3. You will need to provide us with adequate proof of identity before we respond to a request. If you request a record, we will respond within a reasonable time. We may charge the fee under applicable law for providing copies of records to you.

#### **5.2. Right to Request Correction or Deletion**

- 5.2.1. You may request us, in terms of section 24 of POPIA, to correct or delete personal

information in our possession or under our control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully. You may also request us to destroy or delete a record of personal information about you that we are no longer authorised to retain.

- 5.2.2. We will as soon as reasonably practicable correct, destroy or delete, as the case may be – unless we are required or entitled under applicable laws to keep the information and inform you that we have done so.
- 5.2.3. If we do not believe that the information requires correction, we will provide you with credible evidence in support of the information. If we cannot reach agreement with you, you may request us to attach to the information we hold the request for correction so that it can be read together.

### **5.3. Right to Object to Processing**

- 5.3.1. Where we process your information to protect your legitimate interest or to pursue the legitimate interest of a third party to whom the information is supplied or our own legitimate interest, you may object at any time to the processing of your personal information for these purposes, on reasonable grounds relating to your situation, unless applicable law provides for such processing.
- 5.3.2. You may also object at any time to the processing of your personal information for purposes of direct marketing or the receipt of direct marketing through unsolicited electronic communication.

## **6. Remedies for Data Subjects**

You have the right to complain to the Information Regulator as set out below, under point 11.

## **7. How Long Do We Retain Your Personal Information?**

- 7.1. We generally only keep your personal information on our records for as long as we need it to provide you with services and to meet legal requirements related to record- keeping.
- 7.2. We will keep your personal information for as long as:
  - 7.2.1. the law requires us to keep it;
  - 7.2.2. the Rules of the Fund requires us to keep it;
  - 7.2.3. you have consented to us keeping it;
  - 7.2.4. we reasonably require it to achieve purposes set out in the rules of the Fund or this Privacy Statement;
  - 7.2.5. we require it for our lawful business purposes.
  - 7.2.6. The Fund's policies and procedures require us to keep the information.
- 7.3. We may also keep your personal information for historical, statistical or research purposes if appropriate safeguards are in place. We may keep your personal information for longer if there is litigation or an investigation,
- 7.4. If we have to keep information for longer periods than set out above (for example if it cannot be safely destroyed), we will only process it for purposes of storage or for purposes of proof. We will also restrict access and processing of such information.

## **8. Security Breaches**

In the event of a security compromise where your personal information has been accessed or acquired by an unauthorised person, we will notify you directly, the Information Officer, the Board of Trustees and the Information Regulator as soon possible as provided for in POPIA.

## **9. Consent for direct marketing by electronic means**

POPIA regulations provides that a responsible party who wishes to process personal information of a data subject for the purpose of direct marketing by electronic communication, must submit a request for written consent to that data subject. The Fund will request you to complete the relevant forms if the Fund wishes to obtain your consent of to direct marketing by electronic means.

## **10. Automated Decision Making**

An automated decision is when your personal information is analysed to form a profile of a person or category of persons to make a decision without human intervention. We do not make automated decisions.

## **11. Queries and complaints**

If you have any queries or complaints about privacy, please contact the Fund's Information Officer and/ or Deputy Information Officer:

- Ms Lavinia Khangala – Information Officer
  - Mr Cedrick Pila – Deputy Information Officer
- Fund's registered postal address – PO Box 392, UNISA, 0003  
Fund's registered physical address – 7th Floor, OR Tambo Building, UNISA,  
Muckleneuk Ridge, Pretoria, 0002  
Information Officer Telephone – 012 429 6101  
Deputy Information Officer Telephone – 012 433 9441  
Information Officer E-mail – tkhangl@unisa.ac.za  
Deputy Information Officer E-mail – tpilamc@unisa.ac.za

If you are unhappy with the Fund's response and want to make a formal complaint about the way in which the Fund has handled your personal information (or if you want to learn more about your rights under South Africa's Protection of Personal Information Act 2013), you can contact the Information Regulator, an independent regulatory authority established under South Africa's Protection of Personal Information Act (POPIA). Any person may submit a complaint to the Information Regulator in the prescribed manner and form alleging interference with the protection of the personal information of a data subject. A data subject may also submit a complaint in respect of a determination of an adjudicator.

The address of the Information Regulator is as follows:

The Information Regulator (South Africa)  
Woodmead North Office Park,  
54 Maxwell Drive Woodmead,  
Johannesburg, 2191

P.O Box 31533, Braamfontein,  
Johannesburg, 2017

Complaints email: [PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za)

General enquiries email: [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

## **12. Updates to this privacy statement**

This privacy statement applies from 1 July 2021. We may update the privacy statement from time to time. The current privacy statement will be available on our website or available upon request from our office. Please check our website on a regular basis.