PAIA MANUAL OF
UMBRA UMBRELLA PROVIDENT FUND

NOVEMBER 2024

Prepared in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended) ("PAIA")

and

The Protection of Personal Information Act, 4 of 2013 ("POPIA")

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1. INTRODUCTION

PAIA was enacted on 3 February 2000. The purpose 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 any rights.

Where a request is made in terms of PAIA, the body to which the request is made is obliged to release the information, except where PAIA or other legislation expressly provides that the information may or must not be released.

As a private body defined in PAIA, the Umbra Umbrella Provident Fund ("the Fund") is required to compile a manual which provides guidance as to the records held and the process by which to access such records.

This manual is intended to foster a culture of transparency, accountability, and good governance, by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

2. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to:

2.1 check the legislation in terms of which records are held by the Fund;

2.2 have a sufficient understanding of how to make a request for access to a record held by the Fund;

2.3 know the description of the records held by the Fund, which are available in accordance with any other legislation;

2.4 access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;

2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

2.6 know if the Fund will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

2.7 know the recipients or categories of recipients to whom the personal information may be supplied;

2.8 know if the Fund has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and

2.9 know whether the Fund has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

Name of fund	Umbra Provident Umbrella Fund
Registration number	12/8/37704
Physical address	Homestead Office Park Block A, East Wing 65 Homestead Avenue, Bryanston Sandton
Postal address	Private Bag X135 Bryanston 2021
Telephone number	086 100 0079
E-mail address	jp@umbra.co.za
Website address	www.umbra.co.za
Information Officer	Lindy Wingrove-Jonker
Information Officer e-mail address	lwgconsult@gmail.com

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of:

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;

4.3.3. the manner and form of a request for:

4.3.3.1. access to a record of a public body contemplated in section 11 of PAIA; and

4.3.3.2. access to a record of a private body contemplated in section 50 of PAIA;

4.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

4.3.6.1. an internal appeal;

4.3.6.2. a complaint to the Regulator; and

4.3.6.3. an application with a court against a decision by the Information Officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

4.3.7. the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

4.3.8. the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

4.3.9. the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and

4.3.10. the regulations made in terms of section 92 of PAIA.

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (https://www.justice.gov.za/inforeg/).

5. LEGISLATION IN TERMS OF WHICH RECORDS ARE HELD BY THE FUND

The following list is not exhaustive:

i. Constitution of the Republic of South Africa, 1996
ii. Criminal Procedure Act, 51 of 1977
iii. Divorce Act, 70 of 1979
iv. Financial Advisory and Intermediary Services Act, 37 of 2002

v. Financial Sector Regulations Act, 9 of 2017
vi. Long-term Insurance Act, 52 of 1998
vii. Income Tax Act, 58 of 1962
viii. Insurance Act, 18 of 2017
ix. Maintenance Act, 99 of 1998
x. Pension Funds Act, 24 of 1956
xi. Promotion of Access of Information Act, 2 of 2000
xii. Protection of Personal Information Act, 4 of 2013
xiii. Trust Property Control Act, 57 of 1988

6. RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT

6.1 The following records of the Fund are available on demand by a member of the Fund:

i. the registered rules of the Fund (including amendments);

ii. the last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act.

6.2 The following records are available for inspection at the registered address of the Fund (the address is provided under section 3 above):

i. the documents referred to in 6.1 above;

ii. the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act;

iii. the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act;

iv. any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act.

6.3 In terms of section 30L of the Pension Funds Act ***any member of the public*** may obtain a readable copy of the record of the proceedings relating to the adjudication of a complaint and the evidence given on payment of a fee determined by the Adjudicator.

6.4 In terms of section 22 of the Pension Funds Act, ***any person*** (upon payment of prescribed fees) may inspect at the office of the Financial Sector Conduct Authority any record referred to in 6.1 and 6.2 above and make a copy thereof or take extracts therefrom or obtain from the Financial Sector Conduct Authority a copy thereof or extract therefrom. The Financial Sector Conduct Authority may be contacted at:

FINANCIAL SECTOR CONDUCT AUTHORITY CONTACT DETAILS

Physical Address	Riverwalk Office Park, Block B, 41 Matroosberg Road, Ashlea Gardens, Pretoria, 0081
Telephone	(012) 428-8000
Facsimile	(012) 346 6941
Website	www.fsca.co.za

7. DESCRIPTION OF RECORDS HELD BY THE FUND

7.1 General Records

- Rules and Rule amendments
- FSCA Certificate of Registration
- SARS letter of Approval
- Fund Register in terms of regulation 31 of the Pension Funds Act
- Minute Book and agenda packs for meetings of the Board of Fund
- Valuation Reports
- FSCA letters of any exemption and extensions granted in terms of the Pension Funds Act and the Financial Sector Regulations Act

7.2 Member Records

- Membership details
- Participating employer details – applicable to group retirement annuities
- Contribution records
- Member Benefit Statements
- Tax applications, directives and certificates (where applicable)
- Member choice forms
- Member claim forms

7.3 Details of Dependents and Nominees

- Beneficiary nomination details
- Information furnished to the Fund at death claim stage to execute the duties in terms of section 37C of the Pension Funds Act

7.4 Financial Records

- Annual Financial Statements
- Reports from the auditor
- Bank statements
- Investment statements
- Invoices issued to the Fund

7.5 Contracts

- All contracts entered into by the Fund such as contracts with service providers, investment contracts and policies of insurance including the fidelity and indemnity insurance policies.

8. SECTION 13 OF POPIA: COLLECTION OF INFORMATION FOR A SPECIFIC PURPOSE

Personal information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Fund. In this instance the purpose of the personal information is mainly for the disposition of benefits provided by the Fund for the members (and, where applicable, beneficiaries upon the death of a member), in terms of the Fund's rules and the applicable legislation.

9. PROTECTION OF PERSONAL INFROMATION IN TERMS OF SECTION 51(1)(c) OF POPIA

9.1 Purpose of Processing Personal Information

The Fund (and its service providers) collect and use Personal Information to administer membership, receive contributions, make investments and disinvestments, allocate and pay benefits to the Fund's members and their beneficiaries. Personal Information is also used for the following specific purposes:

- General compliance with legal, operational and regulatory requirements
- Administering financial transactions
- Maintaining accounts and records
- Maintaining and enhancing technological and administrative systems
- Verification of identity
- Fraud prevention and detection
- Support to members in relation to Fund membership
- Communication with members and their beneficiaries
- Providing retirement benefit counselling
- Member and beneficiary tracing for purposes of the Fund's administration and payment of benefits
- Market research and statistical analysis

9.2 Categories of Data Subjects and Related Information

9.2.1 Data Subjects

- Board Members
- Members
- Former members
- Dependants
- Nominees
- Potential members
- Officials
- Consultants
- Advisors / Independent Brokers Complainants
- Witnesses
- Banks
- Contractors
- Service providers including administrator and asset managers

9.2.2 Related Information

- Personal details
- Financial details
- Lifestyle and social circumstances
- Business activities
- Family relations
- Personal view, preferences and opinions
- Services provided
- Education and employment details
- Religious beliefs
- Race, ethnicity, gender
- Trade union membership
- Offences and alleged offences
- Physical and mental health details
- Criminal proceedings, sentences and records

9.2.3 Information Sharing

The Personal Information processed by the Fund may be shared with the individuals themselves (i.e. the data subjects) and also with other parties. Where this is necessary the Fund will comply with all aspects of POPIA. What follows is a description of the types of parties that the Fund may need to share some of the Personal Information with for one or more reasons:

- Current, past and prospective employers
- Family, associates, a person acting under a power of attorney and representatives of the person whose Personal Information is being processed
- Financial organisations and banking institutions
- Claims investigators
- Service providers
- Healthcare, social and welfare organisations
- Pension fund administrators
- Private investigators and tracing agents
- Persons making an enquiry or complaint
- Claimants and beneficiaries
- Professional advisors, brokers and consultants
- Any person (natural or juristic) who has a legal right to such Personal Information.

9.2.4 Transborder Flows of Personal Information

The Fund may from time to time need to share Personal Information of Data Subjects with third parties in other countries (including for purposes of cloud-based data storage). When doing so the Fund will comply with the provisions of POPIA. Such sharing will only be done if one of the following requirements are met:

9.2.4.1 the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:

i. effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject who is a natural person and, where applicable, a juristic person, as set out in POPIA; and

ii. includes provisions, that are substantially similar to this section, relating to the further transfer of personal information from the recipient to third parties who are in a foreign country;

9.2.4.2 the data subject consents to the transfer;

9.2.4.3 the transfer is necessary for the performance of a contract between the data subject and the company in question, or for the implementation of precontractual measures taken in response to the data subject's request;

9.2.4.4 the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the company in question and a third party; or

9.2.4.5 the transfer is for the benefit of the data subject, and

i. it is not reasonably practicable to obtain the consent of the data subject to that transfer; and

ii. if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

9.2.5 Information Security

Information is one of the Fund's most valuable assets. Safeguarding and preserving the confidentiality, integrity, and availability of our member (and where applicable their beneficiaries) and employee information is imperative to the Fund's operations and as such are treated as critically important.

The Fund is committed to embed an information security culture with its own officials and is continually engaging its administrator and other service providers towards improving information security measures in respect of:

9.2.5.1. Adequately implementing information security controls;

9.2.5.2. Information protection through appropriate access, disclosure, disruption, modification and destruction controls;

9.2.5.3. Access restriction based on function with permission granted and modified based on changes in function with access revoked on termination of employment.

10. HOW TO ACCESS RECORDS HELD BY THE FUND

A person requesting access to a record ("the requester") must complete the prescribed **FORM C (annexed)** as contained in the Regulations to the ACT.

The completed Form C must either be posted or emailed to the Fund's Information Officer at the address provided in section 3 above.

For the request to be processed, Form C must be completed thoroughly to enable the Fund to identify:

- The records requested;
- The requester (and if an agent is lodging the request, proof of capacity);
- The form of access required;
- The postal address, email address or fax number of the requester in the Republic; and
- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect that right.

The Information Officer will, where required, render reasonable assistance to the requester to comply with the prescribed process and will process the request and inform the requester of the fees (if any) that he/she must pay (fee schedule attached) and of the further steps that will follow in the processing of the request.

Access to certain records may/must be denied on the grounds set under the ACT.

11. AVAILABLITY OF MANUAL

This PAIA Manual is available at www.umbra.co.za

A copy of this Manual has been dispatched to the Information Regulator. This Manual is available for public inspection, during normal office hours and upon prior request, at the Fund's registered address provided above. This Manual is also available to any person upon request and upon the payment of a reasonable fee.

This PAIA Manual was formally adopted, in terms of the Rules of the Fund, by the Board on 27 November 2024.

CHAIRPERSON **HN van Coller**	Dennis Nkomo (Sep 20, 2025 17:17:50 GMT+2) **BOARD MEMBER** **DK Nkomo**
BOARD MEMBER **M Desai**	**BOARD MEMBER** **JM Cavanagh**
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