# MANUAL

**in terms of Section 51 of the**

**Promotion of Access to Information Act, 2 of 2000**

**("PAIA")**

prepared for the

**Link2Link Umbrella Pension Fund**

**(12/8/38142)**

**("the Fund")**

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## 1. INTRODUCTION AND INTERPRETATION

1.1 The Fund is a retirement fund that is registered with the Financial Sector Conduct Authority ("the FSCA") under registration number 12/8/ 38110, and that is approved as a provident fund in terms of the Income Tax Act, No. 58 of 1962.

1.2 The Fund is a private body, as defined in PAIA, and must therefore compile this manual to provide information about:

1.2.1 The contact details of the Fund;

1.2.2 The records held by the Fund;

1.2.3 The records that are automatically available without having to request access in terms of PAIA; and

1.2.4 Where access to a record must be submitted under PAIA, the conditions thereto.

1.3 For purposes of this Manual, the following terms are defined for ease of reference:

| TERM | DEFINITION |
|---|---|
| **Administrator** | The entity responsible for the administration of the Fund. |
| **Board** | The board of management of the Fund. |
| **Commission** | The South African Human Rights' Commission. |
| **Fund** | Link2Link Umbrella Pension Fund |
| **Information Officer** | The principal officer of the Fund or such other person appointed as the information officer of the Fund in terms of the Protection of Personal Information Act, No. 4 of 2013. |
| **PAIA** | The Promotion of Access to Information Act, No. 2 of 2000. |
| **PAIA Request** | Any request for the sharing, in whatever form, of a Record held by the Fund where such request is required to comply with the conditions set out in PAIA. |
| **Pension Funds Act** | The Pension Funds Act, No. 24 of 1956. |
| **Personal Requester** | A Requester seeking access to a Record held by the Fund, containing personal information about them. |
| **PFA** | The Adjudicator, as defined in the Pension Funds Act. |
| **Record** | Any information relating to a natural person or legal |

| | |
|---|---|
| | entity held by the Fund. |
| **Requester** | Any natural person or legal entity that requests a Record from the Fund. |

## 2. CONTACT DETAILS OF THE FUND

| | |
|---|---|
| Fund's Postal Address: | Postnet Suite 277<br>Private Bagx19<br>Gardenview<br>2047 |
| Fund's Street Address: | 76 Concorde Road East<br>Cnr. Williams Road<br>Bedfordview<br>2008 |
| Fund's Telephone Number: | 011 450- 3066 |
| Fund's Email Address: | contactus@gqm.co.za |
| Fund's Website Address: | www.gqm.co.za |
| Information Officer's Name: | Ronald Fransiscus Mathias Coenen |
| Information Officer's email address: | reuven.coenen@gmail.com |
| Information Officer's postal address: | Po Box 1772, Houghton 2041 |

## 3. COMMISSION'S GUIDE ON HOW TO APPLY FOR RECORDS UNDER PAIA

3.1 PAIA grants a Requester access to records of a private body, if the record is required for the exercise or protection of any rights.

3.2 Requests in terms of PAIA must be made in accordance with the prescribed procedures, at the rates provided.

3.3 Requesters are referred to the **Guide in terms of Section 10 of PAIA** (the Guide), which has been compiled by the Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the Commission.

The contact details of the Commission are:

| | |
|---|---|
| Postal Address: | Private Bag 2700, Houghton, 2041 |
| Telephone Number: | +27-11-877 3600 |
| Fax Number: | +27-11-403 0625 |
| Website: | www.sahrc.org.za |
| Contact Person: | Tshepang Sebulela |
| Email: | tsebulela@sahrc.org.za |

## 4. LEGISLATION APPLICABLE TO THE FUND IN ADDITION TO PAIA

| | Act | Reference |
|---|---|---|
| 4.1 | Pension Funds Act | No. 24 or 1956 |
| 4.2 | Income Tax Act | No. 58 of 1962 |
| 4.3 | Financial Sector Regulation Act | No. 9 of 2017 |
| 4.4 | Financial Institutions (Protection of Funds) Act | No. 28 of 2002 |
| 4.5 | Divorce Act | No. 70 of 1979 |
| 4.6 | Maintenance Act | No. 99 of 1998 |
| 4.7 | Protection of Personal Information Act | No. 4 of 2013 |
| 4.8 | Long-term Insurance Act | No. 52 of 1998 |
| 4.9 | Insurance Act | No. 18 of 2017 |

## 5. RECORDS HELD BY THE FUND, AVAILABILITY AND ACCESS

***NOTES AND INSTRUCTIONS ON AVAILABILITY AND HOW TO REQUEST ACCESS OF RECORDS***

***Information available to Personal Requesters****:*

*A Personal Requester is a person seeking access to a Record containing personal information about them.*

*A Personal Requester may include:*

- *A member of the Fund;*
- *Beneficiaries of a member of the Fund; or*
- *A former spouse of a member of the Fund.*

*The Records listed in items 5.1.2, 5.2, 5.3 and 5.4 below are available to a Personal Requester, who need not submit a PAIA request* ***if the Record they are seeking relates to personal information about them only****.*

*Such a Record may be requested by the Personal Requester from the Fund directly (see instructions below).*

***Information available in terms of the Pension Funds Act:***

*Members of the Fund and their former spouses, dependants or nominated beneficiaries, as well as employers that participate in the Fund, need not submit a PAIA request for the following records and may simply request access from the Fund (see instructions below):*

- *Registered fund rules;*
- *Latest revenue account and balance sheet;*
- *Last statutory valuation report.*

***How to request a record from the Fund (Personal Requesters and information available in terms of the Pension Funds Act)***

*Send a letter or email requesting access to the Record, to the Fund's Administrator or Information Officer, to the contact details in Section 2.*

***Records for which a PAIA Request must be submitted***

*Any Requester who is not a Personal Requester as defined above, must submit a PAIA Request for any Record listed in items 5.1 to 5.12 below; and*

| |
|---|
| *Any Personal Requester must submit a PAIA Request for any Record listed in items 5.1 to 5.12 below that does not contain personal information of the Personal Requester, or any Record that must not be made available to them in terms of the Pension Funds Act.* |
| |
| ***How to request a record under PAIA (PAIA Requests)*** |
| |
| *(a) Complete the Form C attached hereto.*<br>*(b) If the request is made on behalf of another person, proof of the capacity in which the Requester is acting on behalf of that person must be attached.*<br>*(c) It is important to clearly identify the Record requested and the form in which it must be provided.*<br>*(d) The Requester must provide details of the right that they seek to protect or exercise and why the record is required for the protection or exercise of that right.*<br>*(e) Send the Form C and supporting documents to the Information Officer of the Fund, at the contact details provided in section 2.* |

| **SCHEDULE OF RECORDS HELD BY THE FUND** | | |
|---|---|---|
| **5.1** | **Member Data** | |
| | **5.1.1** | **General Member Data** |
| | | Membership records |
| | | Contribution records |
| | **5.1.2** | **Member Specific Records** |
| | | Member investment choice option forms |
| | | Member flexible benefit option forms |
| | | Paid-up membership certificates |

| **5.2** | **Claim Documentation** | |
|---|---|---|
| | **5.2.1** | **General (all claims)** |
| | | Claim forms |
| | | Benefit Statements |
| | | Tax applications and directives |
| | | IT88 notifications |
| | | Tax certificates |
| | | Copies of bank statements of payee(s) |
| | | Proof of benefit payment (copy of EFT payments) |
| | | Payment confirmation letters |
| | | Recognition of transfer forms |
| | **5.2.2** | **Retirement Claims** *(Documents in addition to those listed in 5.2.1 above)* |
| | | Proof of retirement benefit counselling |
| | | Annuity option forms |
| | | Calculation of lump sum benefits |
| | **5.2.3** | **Death Claims** *(Documents in addition to those listed in 5.2.1 above)* |
| | | Death certificate |
| | | Confirmation of payment of insured benefit by insurer |
| | | ID documents and birth certificates of dependants and nominees |
| | | Financial information provided by dependants and nominees |
| | | Beneficiary nomination form |
| | | Proof of marriage or life partnership |
| | | Report on investigation in terms of section 37C of the Pension Funds Act |

| | | |
|---|---|---|
| | | Resolution of the Board regarding distribution of benefit |
| | | Preliminary letter issued to dependants and nominees |
| | | Confirmation from executor that estate is solvent (if applicable) |
| | **5.2.4** | **Capital disability claims/Ill-health retirement** *(Documents in addition to those listed in 5.2.1 above)* |
| | | Medical evidence of disability |
| | | Confirmation of payment of insured benefit by insurer |
| | | Insurer letter of acceptance/repudiation/declination |
| | | Resolution of the Board regarding ill-health early retirement |

| **5.3** | **Amounts that may be deducted from benefits (section 37D of the Pension Funds Act)** | |
|---|---|---|
| | **5.3.1** | **Housing loans** |
| | | Member pledge of benefit |
| | | Confirmation of outstanding balance from lending institution |
| | | Proof of settlement |
| | | Confirmation of settlement by lending institution |
| | **5.3.2** | **Employer claim for damages** |
| | | Copy of signed acknowledgement of liability or court judgement |
| | | Proof of institution of legal proceedings by employer |
| | | Information regarding *prima facie* case of employer and member's response |
| | **5.3.3** | **Divorce orders** |
| | | Copy of divorce order |
| | **5.3.4** | **Maintenance orders** |
| | | Copy of maintenance order |

| **5.4** | **Pensioners** |
|---|---|
| | Tax directives and IRP5 |
| | Garnishee/maintenance orders |
| | Certificates of existence |
| | Letters confirming pension increases |

| **5.5** | **Accounting records** |
|---|---|
| | Cash books |
| | Bank statements |
| | Bank reconciliations |
| | General ledgers |
| | Trial balances |
| | EFT payments and deposit slips |
| | Audit working papers |
| | Audited annual financial statements |
| | FSCA correspondence regarding annual financial statements |

| **5.6** | **Valuations** |
|---|---|
| | Valuation reports/Exemption certificate |
| | Surplus apportionment scheme or copy of FSCA acceptance of nil surplus |
| | FSCA correspondence regarding surplus apportionment schemes |

| 5.7 | **Fund rules** |
|---|---|
| | Registered fund rules and amendments |
| | Registered special rules *(delete if not applicable)* |
| | FSCA correspondence regarding rules and amendments |

| 5.8 | **Section 14 transfers** |
|---|---|
| | Forms required to be submitted to the FSCA or Form H |
| | Member communication |
| | Transfer schedule |
| | Approval certificates |
| | Proof of transfer of assets |
| | Form G or J |

| 5.9 | **Fund Management and Governance** | |
|---|---|---|
| | **5.9.1** | **Board of Management** |
| | | Trustee register |
| | | Declarations of conflicts, gifts and favours |
| | | Meeting agendas |
| | | Board minutes and resolutions |
| | | Attendance registers |
| | | Performance appraisals |
| | **5.9.2** | **Sub-committees** |
| | | Mandates |
| | | Meeting agendas |
| | | Minutes of meetings |
| | | Attendance registers |
| | **5.9.3** | **Policies and Codes** |
| | | Code of Conduct |
| | | Investment Policy Statement (including default investment portfolios) |
| | | Default annuity strategy |
| | | Communications policy |
| | | Death claims policy |
| | | Risk management policy |
| | | POPIA policy |
| | | Data protection policy |
| | | Pension increase policy *(delete if no pensioners)* |
| | | Policies regarding trustee training, remuneration and expenses. |
| | **5.9.4** | **FSCA and SARS Approvals and Correspondence** |
| | | Approval of Fund registration and SARS approval |
| | | Noting of appointment of principal officer |
| | | Approval of appointment of auditor |
| | | Reports of FSCA inspections |
| | | General FSCA and SARS correspondence |
| | **5.9.5** | **General** |
| | | PI and FG insurance cover policy and schedule |
| | | Annual Fund budget |
| | | Annual risk assessment |

| 5.10 | Service Providers | |
|---|---|---|
| | 5.10.1 | General |
| | | Contracts and service level agreements |
| | | Performance reviews |
| | | Market comparisons of fees |
| | | Letters of termination of services |
| | 5.10.2 | Insurance |
| | | Copies of risk policies and schedules |
| | | Risk rebroke schedules |
| | 5.10.3 | Investments |
| | | Investment contracts (policies or mandates) |

| 5.11 | Communication |
|---|---|
| | Member welcome pack |
| | Member booklet |
| | Member newsletters |
| | Annual trustee reports |
| | Correspondence with employers |
| | General member communication |

| 5.12 | Complaints |
|---|---|
| | Complaints register |
| | PFA complaints received |
| | Correspondence with PFA |
| | PFA determinations or settlement letters |

## 6. PRESCRIBED FEES

| 6.1 | Request fee applicable to PAIA Requests |
|---|---|
| | |
| | This is a prescribed fee that a Requester must pay for submitting a PAIA Request. |
| | |
| | A Personal Requester is not required to pay a request fee, where the Record requested contains his/her personal information only. |
| | |
| | Requesters who earn less than a certain amount per year, also do not have to pay a request fee. |
| | |
| | The prescribed request fee at the date of this Manual is R50, but please refer to the Guide (Section 3 above) for the latest prescribed request fee (also referred to as the Standard Fee). |
| | |
| 6.2 | Access Fees applicable to All Requests (whether PAIA or to the Fund) |
| | |
| | The access fee is payable by all Requesters, including Personal Requesters, and covers the cost to the Fund of searching for a Record and providing a copy thereof in a specific format. |
| | |
| | Different access fees apply to different formats in which Records are required, e.g., whether required in electronic format, printed, CD, transcription of recording etc. |

| | |
|---|---|
| | |
| | If the Information Officer believes that searching for a document will exceed the number of hours prescribed under PAIA (currently 6 hours), the Requester may be required to pay a deposit of up to one-third of the access fee. Records may be withheld until the access fee is paid. |
| | |
| | A Requester must pay postage fees for any Record required to be delivered by post. |
| | |
| | Refer to the Guide (Section 3 above) for details about the latest various access fees payable and the conditions relating thereto. |
| | |

## 7. TIME PERIODS FOR PROCESSING REQUESTS FOR RECORDS

The Information Officer must, within thirty days of receipt of a request for access to a Record, respond to the Requester about whether the request has been granted or denied, but the Information Officer may request an extension if the request involves a large volume of documents or if consultation with public or other private bodies are required.

If the Record cannot be found, the Information Officer must submit a detailed affidavit to the Requester stating that the Record cannot be found or that it is believed that it does not exist.

If a request is denied, the Information Officer must provide reasons.

## 8. WHEN ACCESS TO A RECORD MAY BE DENIED

By law, the Information Officer may or must deny access to a Record under certain circumstances.

Generally, the Information Officer must deny access to a Record when granting access will cause more harm than non-disclosure would.

PAIA lists 12 grounds on which access to a Record may be denied.

Please consult the Guide (Section 3 above) for detailed information in this regard, but in short, the reasons may include any of the following:

(a) The protection of personal or commercial information of another party;
(b) The protection of safety and property of another party;
(c) When the Fund is required to comply with a confidentiality agreement it had entered into with another party;
(d) Information that is legally privileged or which may not be shared by order of a Court or legislation;
(e) Vexatious or frivolous requests or requests that may require an unreasonable amount of time to investigate.

## 9. APPEALS TO DECISIONS OF THE INFORMATION OFFICER

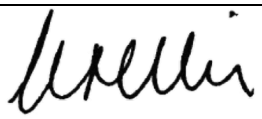
A Requester who is dissatisfied with a decision by the Information Officer may apply to a court for a review of the decision of the Information Officer.

A "court" includes a Magistrate's Court or the High Court.

An application for review must be submitted to the court within 180 days of receiving notice of the decision of the Information Officer that has caused the grievance.

## 10. CERTIFICATION

Certified as the PAIA Manual of the Fund, reviewed by the Board on 06 June 2025.

| | |
|---|---|
| Signature: |  |
| Chairperson of the Board: | Gail Le Grellier |

| | |
|---|---|
| Signature: |  |
| Information Officer of the Fund: | Ronald FM Coenen |

# FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

## A. Particulars of private body

The Head:

## B. Particulars of person requesting access to the record

| | |
|---|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

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:

## C. 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:

## D. 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. |

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

**E. Fees**

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

Reason for exemption from payment of fees:

**F. 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 |
|---|---|
| Mark the appropriate box with an X.<br><br>NOTES:<br>(a) Compliance with your request in the specified form may depend on the form in which the record is available.<br>(b) 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.<br>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested. | |

| | | | | | |
|---|---|---|---|---|---|
| **1. If the record is in written or printed form:** | | | | | |
| | copy of record* | | inspection of record | | |
| **2. If record consists of visual images**<br>this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | | | | | |
| | view the images | | copy of the images" | | transcription of the images* |
| **3. If record consists of recorded words or information which can be reproduced in sound:** | | | | | |
| | listen to the soundtrack audio cassette | | transcription of soundtrack* written or printed document | | |
| **4. If record is held on computer or in an electronic or machine-readable form:** | | | | | |
| | printed copy of record* | | printed copy of information derived from the record" | | copy in computer readable form* (stiffy or compact disc) |

| | | |
|---|---|---|
| 'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?<br>Postage is payable. | YES | NO |

**G Particulars of right to be exercised or protected**

| |
|---|
| 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. |

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

**H. 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 informed 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
WHOSE BEHALF REQUEST IS MADE