



Access to Information Manual

The Society respects your right of access to information. This document will help you exercise that right as required by Section 51 of the Promotion to Access of Information Act No 2 of 2000 (PAIA or the Act).

Callouts like this is a summary of the Society’s manual and contain the most important and relevant information to enable your understanding. Please read the full manual.

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Introduction

This manual exists to inform you what information the Fund holds and access to it if you have an established right to the information.

The De Beers Benefit Society (the Society) is the oldest registered Medical Scheme in South Africa. It was established on 14 February 1889 at the request of C J Rhodes after a disastrous fire claimed the lives of 212 miners at the De Beers Mine in July 1888.

This is the Society's Access to Information Manual. Its purpose is to help you access the Society's information and any other information that the Society possesses, subject to a right to access being established. A copy of this manual will be available for inspection at the South African Human Rights Commission (SAHRC) and at the De Beers Benefit Society Offices. The Promotion of Access to Information Act (PAIA) requires the Society to make it available to you so that you:

- know what types of information the Society holds; and
- can request access to it.

The Society's details¹

These are all the Society's details, but please rather contact the Society by email whenever possible.

Our details are as follows:

- **Name of Society:** De Beers Benefit Society
- **Registration number:** 1068
- **Postal address:** P.O. Box 1922, Kimberley, 8300
- **Physical address:** 84 Du Toitspan Road, Kimberley, 8301
- **Phone number:** 053 807 3111
- **Fax number:** 053 807 3499
- **Name of information officer:** David Datnow
- **Information Officer email:** david.datnow@dbbs.co.za
- **Website:** www.dbbs.co.za

Further guidance²

For further guidance on how to access information, please contact the SAHRC by visiting their website at www.sahrc.org.za.

If you would like further guidance on how you can obtain access to information, you can contact the South African Human Rights Commission (SAHRC) to obtain more information about PAIA. They have compiled a guide in each official South African language on how to exercise any right contemplated in the Act. Their contact details are as follows:

- **Phone number:** 011 877 3600
- **Fax number:** 011 403 0625
- **E-mail address:** tsebulela@sahrc.org.za
- **Physical address:** 33 Hoofd Street, Forum III - Braampark, Braamfontein, Johannesburg, 2041
- **Website:** www.sahrc.org.za

¹ Required by section 51(1)(a) of PAIA.

² Required by section 51(1)(b) of PAIA.

Records the Society holds³

The Society holds various subjects and categories of records in electronic or physical form that are available automatically or in other ways.

The Society holds the following subjects and categories of records:

- **Accounting and Finance records;**
- **Administration records;**
- **Communication records;**
- **Human Resources records;**
- **Information Technology records;**
- **Legal records;**
- **Safety & Health records;** and
- **Secretarial records.**

Accounting and Finance records

Accounting and Finance records include financial statements and investments.

Accounting and Finance records are records related to the Society's accounting and finances.

Agreements / Contracts - various	Not automatically available
Annual Financial Statements	Available in terms of the Medical Schemes Act
Audit Correspondence and Reports	Not automatically available
Insurance Cover	Not automatically available
Banking Correspondence	Not automatically available
Budget Files	Not automatically available
Investments	Not automatically available
Supplier Information	Not automatically available

Administration records

Administration records include benefits and membership details, correspondence, forms etc.

Administration records are records related to administering the medical aid.

Admission and Other Forms	Not automatically available
Claims	Not automatically available
Communications with Members	Not automatically available
Deceased Estates	Not automatically available
Declarations	Not automatically available
Membership Details	Not automatically available
Member elections in terms of the rules	Not automatically available
Minutes of meetings	Not automatically available
Personal Files	Not automatically available
Projects	Not automatically available
Contributions	Not automatically available

³ Required by section 51(1)(c) of PAIA.

Human Resources records

Human Resources records include records of the Society's employees and contractors.

Human Resources records are all the Society's records related to our employees and other personnel.

Complements and Strengths	Not automatically available
Conditions of Employment	Not automatically available
Disciplinary Procedures/Cases	Not automatically available
Employee Development	Not automatically available
Study Assistance	Not automatically available
Job Applications and Appointments	Not automatically available
Reports	Not automatically available
Personal Records	Not automatically available
Policies and Procedures	Not automatically available

Information Technology records

Information Technology records include records about the Society's databases.

Information Technology records are records of the Society's information technology systems.

Agreements / Contracts - various	Not automatically available
Correspondence	Not automatically available
Databases	Not automatically available
Disaster Recovery	Not automatically available
Procedures and Standards	Not automatically available
Internet	Not automatically available
Queries	Not automatically available
Security	Not automatically available
System Documentation	Not automatically available
User Liaison	Not automatically available
E-Commerce	Not automatically available

Legal Records

Legal records are records of applicable legislation to the Society

Legal records are all our records related to legislation.

Acts and amendments	Not automatically available
Agreements/various	Not automatically available
Appointments	Not automatically available
Rules & Rulings	On our public member website
Legal Correspondence	Not automatically available
Legislative Bills	Not automatically available

Licences, Permissions and Exemptions	Not automatically available
Opinions	Not automatically available
Medical Schemes' Appeal Cases	Not automatically available

Communications

Communications include in-house publications and annual reports.

Communications include our internal and external communications.

Briefs and Announcements	On our public member website
Annual Reports	On our public member website
Publications – In-House	On our public member website
Member Guides	On our public member website
Newsflashes	On our public member website
Newsletters	On our public member website

Safety and Health records

Safety and Health records include our policies and procedures on health and safety.

Safety and health records are records related to the Society's employees, and the Society's personnel safety and health:

Agreements / Contracts - various	Not automatically available
Emergency Procedures	Not automatically available
Good Housekeeping	Not automatically available
Policy and Procedures	Not automatically available
Reports - Various	Not automatically available

Secretarial records

Secretarial records include governance documentation and projects

Secretarial records are records related to the Society's governance, the Society's legislative and regulatory requirements:

Actuarial Correspondence and Reports	Not automatically available
Agreements / Contracts - various	Not automatically available
Appointments	Not automatically available
Certificate of Registration	Not automatically available
Correspondence – Council for Medical Schemes	Not automatically available
Correspondence – general	Not automatically available
Correspondence participating employers	Not automatically available
Gift Registers	Not automatically available
Complaints Registers	Not automatically available
King IV application register	Automatically available

Trustees Correspondence	Not automatically available
Trustee Elections	Not automatically available
Trustees Register	Not automatically available
Minutes of Meetings – Other than Trustees	Not automatically available
Legislation – various	Not automatically available
Licences	Not automatically available
Projects	Not automatically available
Property Lease	Not automatically available
Signing Authorities	Not automatically available
Statutory Information	Not automatically available
Policies and Procedures	Not automatically available

Information the Society holds to comply with the law⁴

The Society holds records in terms of the following legislation (where applicable and as amended from time-to-time):

- Value Added Tax Act, No 89 of 1991;
- Income Tax Act, No 58 of 1962;
- Basic Conditions of Employment Act, No 75 of 1997;
- Employment Equity Act, No 55 of 1998;
- Manpower Training Act, No 56 of 1981;
- Skills Development Levies Act, No 9 of 1999;
- Unemployment Insurance Act, No 30 of 1966;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Wages Act, No 5 of 1957;
- Workmen’s Compensation Act, No 30 of 1941;
- Medical Schemes Act 1998;
- The Financial Institutions Act (Protection of Funds) 2001;
- The Inspection of Financial Institutions Act 1984;
- The Divorce Amendment Act, No. 70 of 1979;
- Occupational Health & Safety Act No. 85 of 1993;
- Protection of Personal Information Act No. 4 of 2013;
- Maintenance Act, No. 99 of 1998;
- Long-term Insurance Act, No. 52 of 1998; and
- Insurance Act, No. 18 of 2017.

How to request access⁵

You may request information by completing a request for access form and submitting it to the Society’s Information Officer together with the prescribed fee.

⁴ Required by section 51(1)(d) of PAIA.

⁵ Required by section 51(1)(e) of PAIA.

The Society has authorised and designated an Information Officer to deal with all matters relating to PAIA in order to comply with the Society's obligations in terms of the Act.

To request access to a record, please complete Form C which is available from www.sahrc.org.za at this link: <http://www.sahrc.org.za/home/21/files/Form%20C.doc>

Please submit the completed form to the Society's Information Officer, together with the prescribed fee (details of the fee is available at this link: <https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) at the Society's Information Officer's contact email address, physical address, or by fax. The Society's details provided above. Please note that a requester who seeks access to a record containing personal information about that requester is not required to pay the prescribed fee.

Please ensure that the completed form:

- has enough information for the Information Officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number;
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;
- any other way you would like to be informed of the Society's decision in addition to in writing; and
- proof of the capacity in which you are making the request if you are making it on behalf of someone else.

Other prescribed information⁶

The Minister of Justice and Constitutional Development has not made any regulations prescribing any other information that needs to appear in this manual.

Grounds for refusal

The Society may have to refuse you access to a record to protect others.

The Society may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

Apart from the above, you need to prove a right to access the Society's information.

The Society will notify you in writing whether your request has been approved or denied within 30 calendar days after the Society has received a completed request for access form and fee payment. If the Society cannot find any requested record or it does not exist, then the Society will notify you by way of an affidavit that it is not possible to provide access to that particular record.

⁶ Required by section 51(1)(f) of PAIA.

How the Society will give you access

If the Society approve your request for access to Society records, we will decide how best to provide access to you.

How much it will cost you⁷

You must pay the Society a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available from www.sahrc.org.za at this link: <https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. You must pay the fees to the Society before the Society we will hand over any documentation.

How the Society processes and protects personal information⁸

The Society does its best to keep all data in its possession secure and up to date.

The Society processes the personal information of various categories of people for various purposes as set out in this clause.

Categories of people

The Society processes the personal information of the following categories of people:

- employees;
- trustees of the Society;
- non-trustee Board Committee members
- members and beneficiaries of the Society;
- spouses, partners and children (dependants) of members of the Society;
- service providers to the Society; and
- participating Employers of the Society.

Purpose for processing personal information:

The Society processes the personal information to:

- enable the on-going management of the Society; and
- provide medical benefits to members and their registered dependants.

Third-party disclosures

The Society may provide the following people or institutions with personal information that the Society processes in the ordinary course of business to fulfil the Society's obligations to Society members and their registered dependants:

- Contractors or suppliers;
- De Beers Pension Fund; and
- Third party service providers (such as software developers, legal counsel, actuaries etc) who help maintain the Society's services.

⁷ Fees payable prescribed by section 52(3) of PAIA.

⁸ Required by the Protection of Personal Information Act No 4 of 2013 (POPIA).

Cross-border transfers

The Society sends their personal information outside of South Africa to members that are resident outside the country.

The Society uses Microsoft O365 for its e-mail services and Microsoft OneDrive for backing-up information stored at certain locations on computers.

Security

The Society secures its data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. The Society also takes reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.