



**Government Employees  
Pension Fund**

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**MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT 2 OF 2000 (“the ACT”)**

## **SECTION 1**

### **GEPF MANUAL**

Prepared in accordance with Section 14 of the Promotion of Access to Information Act No 2 of 2000

### **INTRODUCTION**

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) prescribes that a Public Body must provide details of records held by such Body so that any request for information may be accommodated. The details of records kept by a Public Body are contained in a book commonly known as the manual. The manual therefore relates to the records that are kept by the Public Body. The records that are kept pertain to the business / functions of each and every unit. To distinguish between the functions / business of each unit, the records of each unit are numbered differently. Each record also carries a disposal instruction.

Apart from records, also called files, the manual also contains information on the addresses of the Information Officer/s of the Public Body and also the name of each unit in the Public Body, its core function and a list of all records kept by the Public Body. On 9 March 2001, the Promotion of Access to Information Act, No. 2 of 2000 ("the Act") became operative, giving effect to section 32(2) of constitutional right of access to information. One of the main requirements specified in Act, is the compilation of an information manual that provides information on both the types and categories of records held by a public body.

### **AVAILABILITY OF THE MANUAL**

A copy of this manual is available to the public for inspection on the GEPF website at [www.gepf.co.za](http://www.gepf.co.za) or on request from the designated contact person referred to in this manual.

## SECTION 2

### DEFINITIONS

For the purpose of this Manual, unless the context otherwise indicates,

- 2.1. **'The Act'** means the Promotion of Access to Information Act 2 of 2000;
- 2.2. **'The Manual'** means this manual together with all the annexures and which are available at the GEPF;
- 2.3. **'BAS'** means Basic Accounting Systems;
- 2.4. **'BCEA'** means Basic Condition of Employment Act of 1997 (Act No. 75 1997);
- 2.5. **'CCMA'** means The Commission for Conciliation, Mediation and Arbitration;
- 2.6. **'CEE'** means Commission for Employment Equity;
- 2.7. **'CFO'** means Chief Financial Officer;
- 2.8. **'COIDA'** means the Compensation for Occupational Injuries and Diseases Act of 1993 (Act No. 130 of 1993);
- 2.9 **'DIO'** means Deputy Information Officer
- 2.10. **'GEPF'** means the Government Employees Pension Fund;
- 2.11. **'EEA'** means the Employment Equity Act of 55 of 1998;
- 2.12. **'HRD'** means Human Resource Development;
- 2.13. **'HRM'** means Human Resource Management;
- 2.14 **'IO'** means Information Officer
- 2.15. **'MISS'** means Minimum Information Security Standards;
- 2.16. **'MTEF'** means Medium-Term Expenditure Framework;
- 2.17. **'NPI'** means National Productivity Institute;
- 2.18. **'NASA'** means National Archives of South Africa;
- 2.19. **'NASA Act'** means the National Archives Act and Records of South Africa Act of 1996;
- 2.20. **'SSA'** means State Security Agency;
- 2.21. **'OHS'** means Occupational Health and Safety;
- 2.22. **'PES'** means Public Employment Service;
- 2.23. **'PFMA'** means the Public Finance Management Act 1 of 1999;
- 2.24. **'Records'** means the records as defined in terms of section 1 of the Act;
- 2.25. **'SAHRC'** means South African Human Rights Commission;

- 2.26. **'SAPS'** means South African Police Service;
- 2.27. **'SARS'** means South African Revenue Service;
- 2.28. **'SLA'** means Service Level Agreement;
- 2.29. **'SOP'** means Standard Operating Procedure;
- 2.30. **'UI Board'** means The Unemployment Insurance Board;
- 2.31. **'UIA'** means Unemployment Insurance Act of 2001 (Act No. 63 of 2001);

## **SECTION 3**

### **CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER**

#### **INFORMATION OFFICER**

Designation	Principal Executive Officer
Postal Address	P.O BOX 2375, Brooklyn, 2175
Telephone	(012) 424 7303
Fax No.	(012) 424 7322
E-mail Address	abel.sithole@gepf.co.za

#### **Description of the Functions**

To ensure transparent, accountable, professional and efficient client service.

#### **DEPUTY INFORMATION OFFICER**

Designation	Manager: Legal and Compliance
Postal Address	P.O BOX 2375, Brooklyn, 2175
Telephone	012) 424 7317
Fax No	012) 424 7322
E-mail Address	Emmanuel.Lekgau@gepf.co.za

#### **Description of the Functions**

To co-ordinate all matters relating to transparency, legislation and to process requests in terms of the Act.

## **SECTION 4**

### **GUIDE OF ALL MANUALS IN SOUTH AFRICA – SECTION 10 OF THE ACT**

The SAHRC has in terms of section 10 of the Act compiled a guide on the use of the Act. The guide is available at the SAHRC. The SAHRC will further upon receiving each and every Manual from public and private bodies compile a final directory. This directory would be similar to a telephone directory and will contain the “Address” where a body’s Manual could be found apart from the SAHRC.

Any queries relating to the guide should be directed to SAHRC, at:

#### **PAIA (Promotion of Access to Information)**

**Information and Communications**

**Private Bag X2700**

**Houghton**

**2041**

**Telephone**           **+27 11 484 8300**

**Fax**                   **(011) 484 1360**

**e-Mail**               **<https://www.sahrc.org.za/index.php/contact-sahrc/contact-sahrc->**

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## **SECTION 5**

### **FUNCTIONS AND STRUCTURE OF GEPF**

The Board of Trustees took a decision in 2007 to separate the GEPF and its Administrative function. The first step towards this was the establishment of the office of the Principal Executive Officer. The Principal Executive Officer and his/her management team support the Board of Trustees in ensuring that the GEPF acts in the best interests of its members, pensioners and beneficiaries by exercising due care, skill and integrity in safeguarding their retirement wealth and complying with all legal and regulatory requirements.

#### **Principal Executive Officer**

The Principal Executive Officer is responsible for the implementation of all Board decisions and ensuring that the Board's strategy is carried out. He/she has overall responsibility for financial reporting and disclosure, managing relationships with GEPF's stakeholders, amendments to the rules, valuation of assets and ensuring that the GEPF is financially sound, responsibly managed and legally compliant.

#### **Head of Investments and Actuarial**

The head of investments and actuarial monitors and manages the GEPF's assets and liabilities, and is also responsible for conducting actuarial valuations, asset-liability modelling, advising the Board on investment strategy and execution, and overseeing the implementation of the Responsible Investment Policy.

#### **Head of Corporate Services**

The head of corporate services manages and oversees the internal operations of corporate services. These include the management of legal and compliance, human resources, information technology, finance and facilities management.

### **Head of Stakeholder Management and Communications**

Head of stakeholder management and communications duties are to strategically direct, manage and co-ordinate relationships and the full range of communications activities within the GEPF's diverse range of stakeholder groupings. He is also responsible for positioning and managing the GEPF's brand as a key player in the pension fund industry whilst ensuring effective leadership and management of all the sectors of the business unit.

### **Company Secretary**

The company secretary ensures that there is good board practises and governance at all times, and provides an executive secretariat function to the Board and its committees.

### **Internal Audit**

To ensure that the GEPF accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

## **SECTION 6**

### **MANDATE**

The GEPF operates under its own law, Government Employees Pension Law, Proclamation 21 of 1996 (as amended). This Law defines the legal framework of the GEPF, including how it is managed, its rules, who its members are, how benefits are funded, when actuarial valuations must be held and how the financial statements are audited.

### **Vision, Mission and Values**

#### **Vision**

To be a global leading and reputable pension fund that delivers quality service to beneficiaries.

#### **Mission**

As the Government Employees Pension Fund (GEPF) is the custodian of a significant portion of the wealth of public servants, our mission is to:

- Ensure the sustainability of the Fund;
- Provide for the efficient delivery of benefits; and
- Empower our beneficiaries through effective communication.

#### **Values**

We value integrity, transparency, client centricity, accountability and innovation.

##### *Integrity*

Being ethical and truthful

Maintaining good governance practices

Not misrepresenting or withholding information to which our stakeholders are entitled

##### *Transparency*

Communicating openly and frequently with our stakeholders

Setting out information in a format that is clear and understandable

Being open to scrutiny and oversight

*Client centricity*

Working collectively and cooperatively with our stakeholders

Caring

Maintaining customer focus

*Accountability*

Acting with due diligence, competence, confidentiality, and reliability

*Innovation*

Championing research and development in the retirement industry worldwide

## **SECTION 7**

### **7.1 Board committees**

The Board of Trustees has five committees to help it with the business of managing the GEPF.

These committees are:

**7.1.1 Finance and Audit Committee (FA-C):** Advises the Board on financial and audit matters such as the appointment of auditors, financial reporting and annual financial statements.

**7.1.2 Benefits and Administration Committee (BA-C):** Gives advice on benefits and pension administration strategies and procedures.

**7.1.3 Governance and Legal Committee (GL-C):** Reviews and advises on governance, legal and compliance issues, as well risk management, legal dispute resolution and amendments to the Government Employees Pension Law.

**7.1.4 Remuneration Committee (REMCO):** Advises on the GEPF's human resources strategy, policy, procedures and structure. This includes the organisational structure and management

**7.1.5 Investment Committee (INV-C):** Ensures that the GEPF meets its commitments to the United Nations Principles of Responsible Investment, monitors the investment mandate and advises on investment strategy and policy.

## **SECTION 8**

The GEPF is managed by the Board of Trustees that is accountable for the GEPF's administrative and investment performance. Through their representatives on the Board, active members and pensioners have a direct say in its decisions on pension increases, investments and other important matters.

### **The Board of Trustees**

The Board of Trustees has 16 members. Eight of these members represent the government as the employer and eight represent GEPF members and pensioners.

Of the eight Trustees representing members and pensioners, six are chosen by the labour representatives on the Public Service Co-ordinating Bargaining Council. The other two are pensioner members who are voted onto the Board by GEPF pensioners in a postal ballot.

The term of office of the Board is four years. The Minister of Finance inaugurated the current Board in May 2018. Dr Renose Mokate is the Chairperson of the Board and Mr Eddie Kekana is Vice Chairperson.

## **SECTION 9**

### **RECORDS IN THE POSSESSION OF GEPF**

This chapter deals with the provisions of Section 14(1) (d) of the Act, which requires the GEPF to provide details of records in its possession in order to give effect to requests for access to information. Details of the various subjects on which GEPF holds records and the categories of records within these subjects are detailed below. Some of the records are automatically available and no requests fees need to be paid for such records.

#### **GEPF RECORDS AVAILABLE**

(a) The following records of the GEPF are available on demand by a member of the GEPF:

- (i) The rules of the GEPF
- (ii) The annual report

The fee for such access shall be as determined from time to time.

(b) The following records are available for inspection at the registered address of the GEPF at no charge:

- (i) The last report by a valuator prepared in terms of the GEP Law
- (ii) The annual financial statement

#### **AUTOMATIC DISCLOSURES**

##### **RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC**

A section 52(2) notice regarding the categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

## **ACCESS TO RECORDS IN TERMS OF SECTION 14(1) (e) (Automatic Disclosure)**

The Minister must, in terms of Section 15(2) of the Act, publish in the Government Gazette a notice of records that are automatically available. This information is also available on GEPF's website: [www.gepf.co.za](http://www.gepf.co.za).

## **DESCRIPTION OF RECORDS HELD BY THE GEPF**

### **Claims (withdrawals, Retirements, Deaths and Disabilities)**

- Claim notification forms
- Calculations (where available), or computerized statement of claim value
- Tax application (where applicable)
- Tax directive (where applicable)
- IT 88 notifications
- Tax certificate (Duplicate where applicable)
- Client / broker payment instruction (where applicable)
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque / EFT payment reference)
- Acceptance / declination letter (disability only)

### **Member data**

- New entrant data
- Contribution records
- Installation and acquisition data
- Statement of member fund value
- Additional benefit / surplus/ calculations (where applicable)

### **Transfers / liquidations**

- Calculations
- Option forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate where applicable)
- Payment letter (liquidation only)

## **Pensioners:**

### **Annuity /traditional funds**

- Special tax directives, including IT 88's garnishees, etc.
- Commutation of pensions – calculations
- Pensioner increase notification
- Certificates of existence
- Study certificates
- Death certificates
- Annuity option forms
- Trustee instruction regarding payments

### **Disability**

- Medical reviews – correspondence (where applicable)
- COCD (certificate of continued disability)
- Escalator notification
- Payment / benefit confirmation letter
- EFT payment reference
- Recovery documentation
- Letter of suspension /reinstatement from underwriter

### **Accounting records**

- Cashbooks and reconciliations to bank
- General ledgers
- Trial balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ABC whilst still applied)
- Deposit slip (where applicable)

### **Miscellaneous**

- Copies of rules and amendments
- Trustees registers
- Original copies of all policy documents relation to, dread disease, stated benefits, travel, funeral, fidelity, etc. (obviously where the fund has such a benefit)

- Documentation related to the review of insurances on an annual basis as well as the quotations obtained from insurers
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the funds in respect of specific events eg. Trustee's reports, changes to death benefit structure, changes to fund structure etc,.
- Copy of service agreement between fund and administrator
- Correspondence to the trustees in respect of fund matters
- Correspondence to members /pensioners, (where applicable)
- Fund statutory valuation reports
- Confirmation as to appointment of principal executive officer and actuary of fund
- Complaints lodged
- Certain communications with SARS

## **OTHER PUBLICATIONS**

- Annual Reports
- Newsletters
- Booklets
- Pamphlets
- Brochures
- Any other literature intended for public viewing which may be published from time to time

## **OFFICE OF THE CHIEF EXECUTIVE OFFICER (GOVERNMENT PENSIONS ADMINISTRATION AGENCY)**

- Records on fiscal policy of GEPF which relates to structures of decision
- Financial controls

- Debt management policy
- PFMA
- Treasury Regulations
- Financial Procedure Manual
- Revenue Recognition
- Supply Chain Management Policies and Tender Documents Regulations
- Asset Management Policy
- Travel and Subsistence Policy
- Disposal Policy

## **HUMAN RESOURCE MANAGEMENT**

- Various Policies
- Organisational Design Guide / Framework
- Change Management
- Strategy
- Guidelines on the Recruitment and Selection Process in GEPF
- Guidelines to Disciplinary and Grievance Procedure
- Revised Establishment/Recruitment and Selection Standards
- Recognition Agreement
- Job Evaluation Guide
- Job Evaluation Interpretation Guide

## **INTERNAL AUDIT**

- Policies and Procedure Manuals
- Structures and Planning Documents
- Annual Reports
- Establishment/Recruitment and Selection Standards

## **COMMUNICATIONS**

- Press Releases
- GEPF's Annual Report
- Leaflets, Newsletters, and Booklets issued by GEPF

## **RISK MANAGEMENT**

- Risk Management Framework and Plan
- Risk Management Strategy
- Risk Management Policy
- Fraud Prevention Strategy

## **SECURITY**

- Policy on Security
- Minimum Information Security Standard (MISS)
- Security Procedure Manual

## **INSPECTION AND ENFORCEMENT SERVICES (IES)**

- Policies
- Procedure and Manuals (OHS Directives)
- Structures and Planning Documents (OHS Work plan)

## **ACCESS TO RECORDS IN TERMS OF SECTION 14(1) (d)**

## **LEGISLATIVE RECORDS**

### **RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION**

Records are held in accordance with the following legislation:

- . Basic Conditions of Employment Act, No. 75 of 1997
- . Broad Based Black Economic Empowerment Act, No. 53 of 2003
- . Companies Act, No. 61 of 1973
- . Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- . Competition Act, No. 89 of 1998
- . Constitution of South Africa Act, No. 108 of 1996
- . Copyright Act No. 98 of 1987
- . Collective Investment Schemes Control Act, No. 45 of 2002
- . Deeds Registries Act, No. 47 of 1937
- . Electronic Communications and Transactions Act, No. 2 of 2000

- . Employment Equity Act, No. 55 of 1998
- . Environment Conservation Act, No. 73 of 1989
- . Firearms Control Act, No. 60 of 2000
- . Financial Advisory and Intermediary Services Act, No. 37 of 2002
- . Financial Intelligence Centre Act, No. 38 of 2001
- . Formalities in Respect of Leases of Land Act, No. 18 of 1969
- . Income Tax Act, No. 58 of 1962
- . Labour Relations Act, No. 66 of 1995
- . Long Term Insurance Act, No. 52 of 1998
- . National Building Regulations and Building Standards Act, No. 103 of 1997
- . National Road Traffic Act, No. 93 of 1996
- . Occupational Health and Safety Act, No. 85 of 1993
- . Promotion of Access to Information Act, No. 2 of 2000
- . Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000
- . Protected Disclosures Act, No. 57 of 1987
- . Regulation of Interception of Communications and Provisions of Communication - Related Information Act, No. 70 of 2002
- . Sales and Service Matters Act, No. 25 of 1964
- . Skills Development Act, No. 97 of 1997
- . Skills Development Levy Act, No. 9 of 1999
- . Short Term Insurance Act, No. 53 of 1998
- . Securities Services Act, No. 36 of 2004
- . South African Reserve Bank Act, No. 90 of 1989
- . Tobacco Products act, No. 12 of 1999
- . Trade Marks Act, No. 194 of 1993
- . Transfer Duty Act, No. 40 of 1949
- . Unemployment Insurance Act, No. 63 of 2001
- . Value-added tax Act, No. 89 of 1991

**This section of the Manual serves as a reference to the records that the GEPF holds in order to facilitate a request in terms of the Act.**

## **ADMINISTRATION**

## **CO-OPERATIVE GOVERNANCE**

- . Codes of Conduct
- . Governing Board Meeting Minutes
- . Executive Committee Meeting Minutes
- . Wide Risk Management Records
- . Legal and Compliance Records
- . Policies

## **RECORDS HELD**

### **FINANCE AND ADMINISTRATION**

- . Accounting Records
- . Annual Financial Statements
- . Agreements
- . Banking Records
- . Correspondence
- . Invoices and Statements
- . Management Reports
- . Tax Records and Returns
- . SARB Returns
- . Statistics SA Returns

### **HUMAN RESOURCES**

- . Accounting and payroll Records
- . BEE Statistics
- . Career Development Records
- . Personnel Information
- . Employment Equity Reports
- . General Terms of Employment
- . Letters of Employment
- . Leave Records
- . PAYE Records and Returns
- . Performance Management Records
- . Policies and Procedures
- . Returns to UIF

- . Retirement Benefit and Medical Aid Records

## **INFORMATION MANAGEMENT AND TECHNOLOGY**

- . Contracts and Agreements
- . Equipment Register
- . Information Policies, Standards, Procedures and Guidelines

## **LEARNING AND EDUCATION**

- . Training Material
- . Training Records and Statistics
- . Training Agreements

## **LIBRARY AND INFORMATION**

- . External Publications
- . Internal Publications
- . Reference Works
- . Periodicals
- . Research Files (Article)
- . Country Files

## **MARKETING AND COMMUNICATION**

- . Brand Information
- . Marketing Strategies
- . Communication Strategies
- . Agreements
- . Client Relationship Programmes
- . Marketing Brochures

## **OPERATIONS**

- . Access Control Records
- . Agreements
- . Archival Administration Documentation
- . Contracts
- . General Correspondence
- . Patents and Trade Mark Documents

- . Insurance Documentation
- . PABX Management Information
- . Service level agreements
- . Travel Documentation
- . Used Order Books
- . Vehicle Registration Documents

## **SECRETARIAL SERVICES**

- . Applicable statutory documents
- . Annual Reports

## **FINANCE**

- Receipts and Various Payments
- Annual Financial Statements
- Tender Documents
- Records of Budget
- Expenditure and Projections for GEPF
- Asset Registers
- Orders
- Invoices
- Quotations
- Estimates of income and Revenue
- Data Base of Suppliers
- BAS
- Electronic systems

## **HUMAN RESOURCE MANAGEMENT**

- Organizational Structures
- Staff Establishment
- Bursary Files
- Selections
- Electric Systems
- Persal

- Personnel Files of employees
- Performance Contracts
- Performance evaluation reports
- Leave files
- Salary files
- Case files: Disciplinary Hearings
- Appointments
- BOARD and Ministerial Submissions
- Memorandums
- Letters

## **SECURITY**

- Correspondences with State Security Agency
- SAPS and Disaster Management
- Security Appraisal Reports from SAPS
- Information Security Audit Reports from SSA
- Security Breaches Investigation Reports
- Security Clearance Reports

## **INSPECTION AND ENFORCEMENT**

- Correspondence with Internal and External Clients (Exemptions, BOARD /Ministerial Submissions, Memorandum and Letters)
- Tender Documents (Procurement for Goods and Services less than R500 000)

## **EMPLOYMENT EQUITY**

- Employment Equity Plans
- CEO review recommendations

## **EMPLOYMENT STANDARD**

- Applications of variations
- Granted applications
- Applications for children in Performing Arts, Granted permits

## **EMPLOYMENT SERVICES**

- Correspondence with external Clients
- Service Level Agreements
- Employee Information and Labour Relations issue
- Financial Records and Statements
- Asset Management Register
- Structures and Planning Documents, correspondence with other government departments
- Supply Chain documentation and procurement documents
- Staff Development Reports
- Bursary applications and academic reports
- Donor funded Personnel files
- Attendance Performance Management Records
- Audit queries and response
- Parliamentary enquiries and responses
- Career counseling and response

## **RECORDS FOR THE FUND**

- Bank Reconciliations
- Financial Reporting
- Financial Systems Management
- Treasury and Actuarial Services
- Budget

## **SECTION 10**

### **ACCESS REQUESTS**

#### **ACCESS REQUEST PROCEDURE**

**It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record.** An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within part 3 Chapter 4 of the Act. If it is reasonably suspected that the requester obtained access to records in contravention of the Act, legal proceedings may be instituted against such requester.

#### **COMPLETION OF ACCESS REQUEST FORM**

In order to facilitate a timely response to requests, all requesters should take note of the following when completing the Access Request Form:

- The Access Request Form must be completed.
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requesters will be required to supply a copy of their identification document.
- Type or print in BLOCK LETTERS an answer to every question.
- If a question does not apply, state "N/A" in response to that question.
- If there is nothing to disclose in reply to a particular question state "nil" in response to that question.
- If there is insufficient space on printed form, additional information may be provided on an additional attached folio.
- When the use of an additional folio is required, precede each answer with the applicable title.

#### **SUBMISSION OF ACCESS REQUEST FORM**

The completed Access Request Form together with a copy of the identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above. This fee stated below is **not applicable** to personal requesters, referring to any person seeking access to records that contain their personal information.

An initial, **request fee of R57.00 (inc. VAT)** is payable on submission

### **PAYMENT OF FEES**

Payments details can be obtained from the contact person as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

The access fee must be paid prior to access being given to the requested record.

If the request for access is successful an additional **access fee** may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees.

### **NOTIFICATION**

GEPF will within 30 days of receipt of the request decide whether to grant or decline the request and give notice with reasons (if required) to that effect. The 30 day period within which GEPF has to decide whether to grant or refuse the request may be extended for a further period of not more than thirty days, if the request is for a large volume of information, or the request requires a search for information held at another office of GEPF or the information cannot reasonably be obtained within the original 30 days period. GEPF will notify the requester in writing should an extension be sought.

### **FRIVOLOUS OR VEXATIOUS REQUESTS OR SUBSTANTIAL AND UNREASONABLE DIVERSION OF RESOURCES**

The information Officer may refuse a request for access to a record if:

- The request is manifestly frivolous or vexatious;

- The work involved in processing the request would substantially and unreasonably divert the resources of the GEPF

The main grounds for refusal of a request for information are:

- Mandatory protection of the privacy of third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- Mandatory protection of the commercial information of third party, if the record contains:
  - Trade secrets of that party
  - Financial, commercial, Scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party.
  - Information disclosed in confidence by a third party to GEPF if the disclosure could put that third party to a disadvantage in negotiations or commercial competition.
  - Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
  - Mandatory protection of the safety of individuals and the protection of property.
  - Mandatory protection of records which could be regarded as privileged in legal proceedings.
  - The commercial Activities of GEPF which may include:
    - Trade secret of GEPF
    - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of GEPF.

## **MANDATORY DISCLOSURE IN THE INTEREST OF THE PUBLIC**

Despite any other provision in PAIA, the Information Officer must grant a request for access to a record of GEPF if:

- a) The disclosure of the record would reveal evidence of-
  - a substantial contravention of, or failure to comply with the law; or
  - an imminent and serious public safety or environmental risk; and

- b) The public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.

## **RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST**

If all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record is in GEPF's possession but is lost or damaged or does not exist then the Information Officer must by way of an affidavit notify the requester that it is not possible to give access to that record.

The affidavit must give a full account of all steps taken to find the record in question or to determine whether the record exists, including communicating with every person who conducted the search on behalf of the Information Officer.

## **DETAILS OF GEPF's BANK ACCOUNT**

Bank	: ABSA
Type of Account	: Deposit Account
Account Holder	: Government Employees Pension Fund
Account Number	: 40-5419-7798
Branch	: Pretoria

It is important to note the provisions of section 22(1) of the Act to the effect that no request may be processed unless a request fee is paid. See attached fee schedule prescribed by PAIA at the end of the Manual

## **SECTION 11**

### **NATURE OF SERVICES PROVIDED BY GEPF**

As stipulated in section 3 of the GEP Law, the object of the GEPF is to provide the pensions and certain other related benefits as determined in this Law to members and pensioners and their beneficiaries

## **SECTION 12**

### **ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN FORMULATING POLICY AND EXERCISE OF POWER**

1. The South African Law Commission calls for public comments on legislation from experts and the general public.
2. Draft legislation is published in the government Gazette for perusal and comment.
3. GEPP's Annual Report and other reports are open to public viewing, reading and commentary.

## **SECTION 13**

### **REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH [S 14(1) H]**

#### **13.1 REFUSAL OF REQUEST AND INTERNAL APPEALS AGAINST DECISIONS**

13.1 1 The Act provides for an internal appeal a decision of the IO or DIO on the following grounds:

- (a) a refusal to grant access; or
- (b) a decision taken in terms of sections 22, 26 (1) or 29(3).

The GLC is the relevant authority to review any decision taken on appeal. An aggrieved party has to approach the Courts if dissatisfied with the decision of the GLC.

#### **13.2 THE INTERNAL APPEAL PROCEDURE**

- When the requester / third party lodges an appeal, the prescribed appeal Form (Annexure B attached to the end of the Manual), has to be completed and lodged with the information Office within 60 days.
- The internal appeal must identify the subject of the internal appeal and state the reasons thereof and may include any other relevant information known to the appellant.
- The internal appeal must state the manner and provide the particulars which the appellant desires to be informed of on the decision of the internal appeal in addition to a written reply and specify a postal address or fax number.
- The Information Officer will forward all internal appeals and accompanying documentation to the Deputy Information Officer, who will then forward it to the relevant authority, which is the PEO.
- The Information Officer will inform the requester / third party of the outcome of the internal appeal.

- A requester / third party who is dissatisfied with the outcome of the internal appeal may, within 30 days of receipt of the response, submit an application to the court for a final decision.

### **13.3 APPLICATION TO COURT**

#### **13.3.1 Applications regarding the decision of the GLC or the person designated in writing by the GLC.**

A requester or the third party may only, after exhausting the internal appeal procedure against a decision of the Information Officer or the Deputy Information Officer, apply to a court for appropriate relief. A requester whose internal appeal has been unsuccessful or is aggrieved by a decision of the GLC or person designated in writing by the GLC to disallow the late lodging of the appeal in terms of section 75(2) of the Act, may by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82. The unsuccessful third party in an internal appeal to the relevant executing authority may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

- **Other supportive measures**

Reasons for an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (Section 5); must be furnished where a person's rights have been materially and adversely affected by that administrative action.

## **SECTION 14**

### **UPDATING THE MANUAL [Section 14(2)]**

The Manual will be reviewed as and when it is necessary to do so. The GEPF will publish the Manual in the three official languages.

## **SECTION 15**

### **AVAILABILITY OF THE MANUAL [Section 14(3)]**

The manual will be available in places prescribed by the Legal Deposit Act, 1997 (Act No. 54 of 1997), SAHRC Offices and all Centers of the GEPF.

The manual will be made available on the website of the GEPF: [www.gepf.gov.za](http://www.gepf.gov.za)

## **SECTION 16**

The fees payable in order to obtain the information shall be as prescribed in terms of Section 18(1) of the Promotion of Access to information Act, 2000 (Act No. 2 of 2000) [Regulation 6]

**FOR FUND USE**

Request received by \_\_\_\_\_ Reference number: \_\_\_\_\_  
Name and surname of information officer/deputy information officer on \_\_\_\_\_  
(date) at \_\_\_\_\_ (place)  
Request fee (if any): R.....  
Deposit (if any): R.....  
Access fee: R.....

.....  
Signature of information officer/deputy Information Officer

A Particulars of public body  
The Information Officer/Deputy Information Officer:

\_\_\_\_\_

\_\_\_\_\_

**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:

Email 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 below, 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.

**NOTES:**

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
  - (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.
  - (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.
1. The record is in written or print form:
    - Copy of record\*
    - Inspection of record
  
  2. If record consists of visual images (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? YES / NO

**Postage is payable**

Note that *If* the record is not available in the language you prefer, access may be granted in the language in *which* the record is available.

In which language would you prefer the record?

**G. Notice of decision regarding request for access**

You will be notified 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 1 person on whose behalf request is made.***

**FORM B**

**NOTICE OF INTERNAL APPEAL**

**(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 2000)**

**[Regulation 8]**

**STATE YOUR REFERENCE NUMBER.....**

**A. Particulars of Public body**

The Information Officer/Deputy Information Officer:

**B. Particulars of requester/third party who lodges the Internal appeal**

(a) The particulars of the person who lodge the internal appeal must be given below.

Proof of the capacity in which appeal is lodged, if applicable, must be attached.

(b) If the appellant is a third person and not the person who originally requested the information, the particulars of the request must be given at C below.

Full Name and Surname

Identify Number

Postal

Address:.....

.....

.....

.....

.....

.....

Telephone Number (.....).....Fax

No:.....

E-mail

address:.....

.....

.....

.....

Capacity in which an internal appeal on behalf of another person is lodged:

**FORM B: NOTICE OF INTERNAL APPEAL**

**C. Particulars of requester**

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal

Full Names and Surname:

.....  
.....

Identity

Number.....  
.....

**D. The decision against which the internal appeal is lodged**

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

- Refusal of request for access
- Decision regarding fees prescribe in terms of section 22 of the Act
- Decision regarding the extension of the period within which the request must be dealt with terms of section 26 (1) of the Act
- Decision in terms of section 29 (3) of the to refuse access in the form requested by the requester
- Decision to grant request for access

**E. Grounds for appeal**





You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

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.....  
.....

Particular of manner:

.....  
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.....  
.....  
.....  
.....  
.....

Signed \_\_\_\_\_ at.....this  
day.....of.....year.....

.....  
**SIGNATURE OF APPELLANT**  
**FOR FUND USE:**

**OFFICIAL RECORD OF INTERNAL APPEAL:**

Appeal \_\_\_\_\_ received  
on.....  
.....(dated) by

.....  
.....  
.....(state rank, name and surname and of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and where applicable, the particulars of any third party to whom or which the record relates. Submitted by the information officer/deputy information officer on ..... (date) to the relevant authority.

**OUTCOME OF APPEAL:**

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.....

**DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER  
CONFIRMED/NEW DECISION SUBSTITUTED**

**NEW DECISION:**

.....  
.....  
.....  
.....  
.....  
.....  
.....

**DATE** ..... **RELEVANT**  
**AUTHORITY**.....  
.....

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER  
FROM THE RELEVANT

AUTHORITY

ON

(Date).....

.....