



PEOPLE WHO CARE EVERY DAY

THE ALEXANDER FORBES TRUST

PRIVACY STATEMENT

Date from which this privacy statement applies: 1 July 2021

Purpose of this privacy statement

This privacy statement sets out how the Alexander Forbes Trust (“the Trust”) collects, uses and protects the personal information of deceased members, beneficiaries and/or guardians/caregivers to comply with the requirements of the Protection of Personal Information Act 4 of 2013 (“POPIA”). This privacy statement also informs beneficiaries and/or guardians/caregivers of their rights in terms of POPIA.

Collection and Use of Personal Information

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

The main purpose of the Trust is, on behalf of beneficiaries, to receive, administer, invest and pay benefits that have become payable on the death of members of a retirement fund (“transferor funds”) in terms of section 37C of the Pension Funds Act and employer purchased group life insurance policies (unapproved benefits), as detailed in the Trust Deed.

The personal information that we collect and process is used mostly for this reason. The Trust must also collect and process information to comply with the laws of South Africa.

What personal information do we collect?

We may collect personal information including beneficiaries' and/or guardians'/caregivers' names, gender, surnames, language, identity and/or passport numbers, contact details, nationalities, employment status, information about beneficiaries (special personal information), demographic information (e.g. ages, races), financial information including bank account details, tax information, records of claims, and in some cases, beneficiaries' and/or guardians'/caregivers' financial, health or medical information, including disability status (special personal information), and biometric information such as fingerprints and voice recordings (where necessary).

How we use beneficiaries' and/or guardians'/caregivers' personal information?

Beneficiaries' and/or guardians'/caregivers' information is collected and used, for example, to provide Trust benefits, keep records updated, make payments, contact and communicate with them, and comply with the laws of South Africa.

We may further process beneficiaries' and/or guardians'/caregivers' information if it is compatible with the purpose for which it was collected, for instance, to conduct statistical and other audits, operational, legal and record keeping requirements or to trace beneficiaries and/or guardians/caregivers through a tracing agent if they are uncontactable and/or to comply with any regulation or conduct standard relating to unclaimed assets.

Source and disclosure of personal information

We receive beneficiaries' and/or guardians'/caregivers' personal information directly from the transferor fund (employer or retirement fund of deceased members of that fund), and we provide it to our appointed service providers so that they can provide the services agreed to in terms of formally signed agreements.

In terms of our formal signed agreements, we require all service providers to only use the information for the required purpose and to handle beneficiaries' and/or guardians'/caregivers' personal information appropriately and securely and to comply with all relevant laws.

We confirm that:

- The Trust does not and will not sell personal information or provide beneficiaries' and/or guardians'/caregivers' information to any third parties to use for their own marketing purposes and unsolicited electronic communication.
- It may be necessary for us to provide beneficiaries' and/or guardians'/caregivers' information to comply with the laws of South Africa or a court order. We only provide such information where there is a legal basis for doing so.

Protection and Security of Personal Information

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

Accuracy of Personal Information

We take reasonable steps to keep personal information up to date. Beneficiaries and/or guardians or caregivers may request us to correct personal information in our possession or under our control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully.

We will as soon as reasonably practicably correct such personal information unless we are required or entitled under applicable laws to keep the incorrect information and we will inform you that we have done so.

If you would like to correct or update any information, please contact our administrator at

Telephone: 0860 102 919, Fax: 0860 219 0778

Email Address: afts@fairheads.com

or contact our Information Officer at AFFundIO@forbes.com.

Right to object to the processing of personal information

Beneficiaries and/or guardians/caregivers may object at any time to the processing of their personal information on reasonable grounds relating to their situation, unless applicable law provides for such processing.

Beneficiaries and/or guardians/caregivers may also object at any time to the processing of their personal information for purposes of direct marketing or the receipt of direct marketing through unsolicited electronic communication.

Retention of Personal Information

We will keep beneficiaries' and/or guardians'/caregivers' personal information for the time period necessary to comply with the Trust Deed and all relevant laws and as set out in this privacy statement. It may be necessary to retain some of the beneficiaries' and/or guardians'/caregivers' personal information beyond this time period if we have received consent for the keeping of the information or if it is required for historical, statistical or research purposes if appropriate safeguards are in place.

If we have to keep information for longer periods than set out above (for example if it cannot be safely destroyed), we will only process it for purposes of storage or for purposes of proof. We will also restrict access to and processing of such information.

Beneficiaries and/or guardians/caregivers may request that the Trust delete their personal information in our possession or under our control. Beneficiaries and/or guardians/caregivers may also request us to destroy or delete a record of their personal information that we are no longer authorised to retain.

A request must be sent to the Information Officer at AFFundIO@forbes.com using the "Form 2" issued in terms of POPIA for this process. This form can be found in **Annexure A**. We will as soon as reasonably practicable correct, destroy or delete, as the case may be, the relevant information and inform the beneficiary and/or the guardian/caregiver that we have done so. Please note that there may be lawful purposes which prohibit us from deleting such information.

International Transfer of personal information

We make use of service providers who may store or process beneficiaries' and/or guardians'/caregivers' information outside of South Africa. We try to ensure that our service providers only operate in countries with strong data protection laws (for example the United Kingdom or countries within the European Union), or are contractually required to protect personal information in terms of the principles set out in POPIA.

The Master of the High Court

Beneficiaries and/or guardians/caregivers may complain to the Master of the High Court. Beneficiaries and/or guardians/caregivers may submit a complaint to the Master of the High Court in the prescribed manner and form alleging interference with the protection of their personal information.

The address of the Master of the High Court is as follows:

The Master of the High Court (South Africa)

Dullah Omar
Building, 45 Castle
Street, Cape Town
800

General enquiries email: MasterCapeTown@justice.gov.za

Tel: 021 832 3000

Annexure A

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTRUCTION OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

- 1. Affidavits or other documentary evidence as applicable in support of the request may be attached.*
- 2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
- 3. Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

☐

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

☐

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and Surname/ registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	

B	DETAILS OF RESPONSIBLE PARTY
Name(s) and Surname/ registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and/or REASONS FOR *DESTRUCTION OR DELETION OR A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at _____ this _____ day of _____ 20_____

Signature of the data subject/designated person