



ELECTRICAL INDUSTRY KWA-ZULU NATAL PENSION FUND

PAIA MANUAL

OF THE

ELECTRICAL INDUSTRY KWA-ZULU NATAL PENSION FUND

REGISTRATION NO. 12/08/14479

**PREPARED IN ACCORDANCE WITH SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000
(as amended)**

APRIL 2025



ELECTRICAL INDUSTRY KWA-ZULU NATAL PENSION FUND

Registration No: 12/08/14479
23 Lennox Road, Greyville, Durban, 4001

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1. INTRODUCTION

The Promotion of Access to Information Act, 2 of 2000 ("PAIA") was enacted on 3 February 2000. The purpose of the legislation 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 Fund is required to compile a manual to provide a reference as to the records held and the process which needs to be followed 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.

This manual does not purport to be exhaustive of or to comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarise his/herself with the provisions of the Act before lodging any request with the body.

2. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to;

- check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- know the description of the records of the body which are available in accordance with any other legislation;
- access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- know if the body 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;
- know the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the recipients or categories of recipients to whom the personal information may be supplied;
- know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the



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- personal information may be supplied; and
- know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. DEFINITIONS

Access fee	A fee prescribed for the purpose of reproduction, search and preparation time and cost of records and postal costs (if applicable).
Constitution	Constitution of the Republic of South Africa, Act No. 108 of 1996;
Date of submission	The date on which the requester submits the PAIA request. The Information Officer must respond to the request within 30 days of this date.
Grounds for refusal	The Section(s) of PAIA referred to by the Information Officer in order to refuse a PAIA request.
Information Officer	The individual in the private body who is responsible for dealing with a PAIA request.
Information Regulator	The Information Regulator established in terms of Section 39 of POPIA. Regulator will have a corresponding meaning.
Internal appeal	An internal appeal to the relevant authority in terms of Section 74 of PAIA.
Inventory	A list of items in the custody of the private body.
Letter of authorisation	A letter from an individual who requires the requester to submit a PAIA request on their behalf in terms of PAIA. The letter must state that the individual authorises the requester (and other representatives from the requester's organisation, if necessary) to submit a request to access information in terms of PAIA on their behalf.
Minister	Minister of Justice and Correctional Services;
Other requester	Someone other than a personal requester requesting access to information on behalf of the personal requester.
PAIA	The Promotion of Access to Information Act, 2000 (Act No.2 of 2000).



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PAIA request	The name given to the document(s) submitted to a private body
PAIA request reference number	The reference number allocated for a PAIA request (e.g., 2021/ECIKZN/0000). The reference number must be used throughout all correspondence with the requester, the requester is required to do the same.
Person	means a natural person or a juristic person.
Personal information	<p>means information relating to an identifiable natural person, including, but not limited to-</p> <p>information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;</p> <p>information relating to the education or the medical, financial, criminal or employment history of the person;</p> <p>any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person;</p> <p>the biometric information of the person;</p> <p>the personal opinions, views or preferences of the person;</p> <p>correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;</p> <p>the views or opinions of another individual about the person; and</p> <p>the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person, but excludes information about an individual who has been dead for more than 20 years;</p>
Personal requester	A requester seeking access to a record containing personal information about themselves.
Private body	<ul style="list-style-type: none">• A natural person who carries or has carried on any trade, business or profession, but only in such capacity;



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	<ul style="list-style-type: none">• A partnership which carries or has carried on any trade, business or profession; or• Any former or existing juristic person, but excludes a public body;
Public body	<ul style="list-style-type: none">• Any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or• Any other functionary or institution when;<ul style="list-style-type: none">- Exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or- Exercising a public power or performing a public function in terms of any legislation;
Record	<p>any recorded information, regardless of form or medium; in the possession or under the control of that public or private body, respectively; and</p> <p>whether or not it was created by that public or private body, respectively;</p>
Request for access	<p>in relation to a private body, means a request for access to a record of a private body in terms of section 50 of PAIA.</p>
Requester	<p>in relation to a private body, means-</p> <ul style="list-style-type: none">(i) any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; or(ii) a person acting on behalf of the person contemplated in subparagraph(i);
Request fee	<p>The fee that must be paid by the requester before a request can be processed (not applicable to personal requesters).</p>
Responsible party	<p>means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information;</p>
Third party	<p>in relation to a request for access to a record of a private body, means any person (including, but not limited to, a public body) other than the requester, but, for the purposes of sections 34 and 63, the reference to 'person' in paragraphs (a) and (b) must be construed as a reference to a 'natural person';</p>
The Act	<p>means the Promotion of Access to Information Act 2 of 2000 as amended, and includes any regulation made and in force in terms of Section 92.</p>



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Business Days

Any days other than Saturdays, Sundays, or Public Holidays.

4. CONTACT DETAILS

Fund Details/General Enquiries

Fund Name	Electrical Industry Kwa-Zulu Natal Pension Fund
Fund Registration Number	12/8/14479
Physical Address (Registered office)	23 Lennox Road, Greyville, Durban, 4001
Postal Address	23 Lennox Road, Greyville, Durban, 4001
Telephone Number (NBCEISA)	(031) 309 1325
Fund's website	https://eifunds.co.za/kzn/

Information Officer

Full Name	Ms. Lizané van der Merwe
Contact number	073 350 8064
E-mail address	lizane@lvdmcconsulting.co.za

5. PRESCRIBED FEES

- 5.1** Section 22(1) of PAIA states that fees payable for access to records of the Regulator are to be prescribed. The prescribed fees are as set out below.
- 5.2** A requester who seeks access to any record may be required to pay a fee, unless exempted, as referred to below.
- 5.3** The requester is exempt to pay an access fee¹ if:-
- A single person whose annual income, after permissible deductions referred to in the Schedule to the notice are made, does not exceed R14 712 a year, and
 - Married persons or a person and his or her life partner whose annual income, after permissible deductions referred to in the Schedule to the notice are made, does not exceed R27 192 per year and
 - Where the cost of collecting any fee contemplated in section 22 of the Act, exceeds the amount charged, such fee does not apply if:
 - The access fee contemplated in section 22(6) of the Act does not apply to the personal record of a requester; and
 - The request fee contemplated in section 22(1) of the Act and the access fee contemplated in section 22(6) of the Act do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998) or the regulations made under section 44 of that Act.

¹As per Government Notice R991 of 14 October 2005

Prescribed fees in respect of Private Bodies are as follows:



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Description	Amount
The request fee payable by every requester	R140.00
Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
Printed copy of A4-size page	R2.00 per page or part thereof.
For a copy in a computer-readable form on: Flash drive (to be provided by requestor) Compact disc	R40.00 R40.00 R60.00
If provided by requestor If provided to the requestor	
For a transcription of visual images per A4-size page Copy of visual images	Service to be outsourced. Will depend on quotation from Service provider.
Transcription of an audio record, per A4-size page	R24.00
Copy of an audio record on: Flash drive (to be provided by requestor) Compact disc	R40.00 R40.00 R60.00
If provided by requestor If provided to the requestor	
To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
To not exceed a total cost of	R435.00
Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
Postage, e-mail or any other electronic transfer	Actual expense, if any."

6. HOW TO USE AND ACCESS THE PAIA GUIDE

The Regulator has, in terms of Section 10(1) of PAIA, as amended, updated, and made available the revised Guide on how to use the 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 terms of PAIA and POPIA.

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

The aforesaid Guide contains the description of:

- the objects of PAIA and POPIA;
- the postal and street address, phone, and fax number and, if available, electronic mail address of-
 - the Information Officer of every public body, and
 - every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA² and Section 56 of POPIA³;
- the manner and form of a request for-
 - access to a record of a private body contemplated in Section 50⁴;
- the assistance available from the IO in terms of PAIA and POPIA;



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- the assistance available from the Regulator in terms of PAIA and POPIA;
- 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-
 - an internal appeal;
 - a complaint to the Regulator (**Annexure A**); and
 - 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;
- the provisions of Section 51⁵ requiring a private body to compile a manual, and how to obtain access to a manual;
- the provisions of Section 52⁶ providing for the voluntary disclosure of categories of records by a private body;
- the notices issued in terms of Section 54⁷ regarding fees to be paid in relation to requests for access; and
- the regulations made in terms of Section 92⁸.

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.

The Guide can also be obtained-

- upon request to the Information Officer (**Annexure A**);
- from the website of the Regulator.

A copy of the Guide is also available in the following two official languages, for public inspection on the Funds' website:

- English
- isiZulu

²Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

³Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

⁴Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4.

⁵Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed.

⁶Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

⁷Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

⁸Section 92(1) of PAIA provides that -The Minister may, by notice in the Gazette, make regulations regarding-
a) any matter which is required or permitted by this Act to be prescribed;



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- b) *any matter relating to the fees contemplated in sections 22 and 54;*
- c) *any notice required by this Act;*
- d) *uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and*
- e) *any administrative or procedural matter necessary to give effect to the provisions of this Act.*

7. AVAILABILITY OF THE MANUAL

A copy of the manual is available for inspection as per the prescribed fees at the Fund's registered office during normal business hours and on the Fund's website.

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

This list is not exhaustive.

- Divorce Act, 70 of 1979
- Maintenance Act, 99 of 1998
- Pension Funds Act, 24 of 1956
- Trust Property Control Act, 57 of 1988
- Long-term Insurance Act, 52 of 1998
- Financial Advisory and Intermediary Services Act, 37 of 2002
- Income Tax Act, 58 of 1962

9. PROCESSING OF PERSONAL INFORMATION

9.1 PURPOSE OF PROCESSING PERSONAL INFORMATION

Personal information is collected and processed pertaining to its purpose which may include financial reporting (audit and valuation purposes); risk benefits insurance;

maintaining member details; historical purposes; in connection with any legal proceedings and providing industry and/or regulatory requirements updates.

Personal information may be disclosed to service providers who are involved in the delivery of services and agreements are in place to ensure compliance with the lawful processing of information.

The type of personal information will depend on the need for which it is collected and will be processed for that purpose. Personal information collected may include (but is not limited to):

- Member's identity number, name, surname, marital status, age, physical address, postal code, email, contact number; spouse, beneficiaries and/or dependents details.
- Any other information required by operators to execute its mandate and/or for the purpose of reinsuring benefits described in terms of the Rules of the Fund;
- All operators (including any third-party operators) are required to adhere to the lawful processing of personal information.



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9.2 CATEGORIES OF DATA SUBJECTS

The table below illustrates the categories of Data Subjects and the description of the nature or categories of the personal information to be processed. The nature or categories of the personal information is dependent on the purpose of the body in performing its functions or services.

Categories of Data Subjects	Personal Information that may be processed
Beneficiaries	Identity number, name, surname, marital status, age, physical address, postal code, email, contact number and/or dependents details.
Members	Identity number, name, surname, marital status, age, physical address, postal code, email, contact number; spouse, beneficiaries and/or dependents details.
Pensioners	Identity number, name, surname, marital status, age, physical address, postal code, email, contact number; spouse and/or dependents details.
Service Providers	Names, registration number, VAT number, address, trade secrets and bank details.
Trustees	Identity number, name, surname, marital status, age, physical address, postal code, email, contact number.

9.3 CATEGORIES OF RECIPIENTS

The table below illustrates the category of personal information which may be disseminated and the recipient or category of recipients of the personal information.

Category of Personal Information	Recipients or Categories of recipients to whom the personal information may be supplied
Identity number, name, surname, marital status, age, physical address, postal code, email, contact number; spouse, beneficiaries and/or dependents details	Administrators
Identity number, name, surname, salary	Risk Benefits Insurer
Identity number, name, surname, spouse, beneficiaries and/or dependents details	Beneficiary Fund Administrator
Identity number, name, surname, marital status, age, spouse	Valuator
Identity number, name, surname, marital status, age, physical address, postal code, email, contact number; spouse, beneficiaries and/or dependents details.	Auditors



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Identity number, name, surname, marital status, age, spouse	Investment Consultant / Asset Managers
Identity number, name, surname, marital status, age, physical address, postal code, email, contact number; spouse, beneficiaries and/or dependents details.	Tracing Agent

9.4 DESCRIPTION OF INFORMATION SECURITY MEASURES

- Noted below are the measures implemented by the responsible party to ensure the confidentiality, integrity and availability of personal information.
- All operators (including any third-party operators) are required to provide confirmation of the following (but not limited to):
 - How dissemination in any form, merging or linking and restriction of records will be implemented;
 - When and how will personal information be de-identified (removal/destruction);
 - How will personal information be retained/stored;
 - How will personal information be protected (security safeguards), including but not limited to loss, theft, unauthorised access, disclosure, use;
 - What back-up (retrieval) measures are in place to protect, retain and/or recover personal information (electronic file and/or hardcopy);
 - The specific identification of the personal information accessed including any personal information which requires special authorisation;
 - How, who and when incidents of any breach or potential breach will be reported to the Responsible Party of the unlawful processing or personal information being accessed or acquired by any unauthorised person within a reasonable time but no later than 72 hours after the discovery of the compromise;
 - Person(s) authorised to have access to personal information and their obligations in terms of Data Protection Legislation;
 - Technological measures including electronic systems safeguarding and any reports must be password protected and/or encrypted on devices that may contain personal information which will limit access to personnel of the operators who need to know the information to conduct their duties within the operator;
 - Physical measures adopted by the operator (including but not limited to) access to enter a premises and off-site back-up and archiving.
 - Insurance in place to cover liability claims in the event of incidents of any breach or potential breach and
- Any changes, the reasons, and impact thereof as per the above must be communicated to the Responsible Party timeously.

10. HOW TO ACCESS RECORDS HELD BY THE FUND

10.1 RECORDS AUTOMATICALLY AVAILABLE

The records available for inspection may be requested by submitting a request to the Fund by either writing a letter (physical/postal address) or an email:



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- Rules of the Fund
- Last Revenue Account
- Statutory Valuation Report
- Investment Returns (Fund Fact Sheets)
- Annual Trustee Report (including benefits available)
- Member Booklet (including benefits available)

10.2 RECORDS WHICH MUST BE FORMALLY REQUESTED (COMPLETED FORM REQUIRED)

Claims (withdrawals, retirements, deaths, and disabilities)

- Claim forms (for exits from the Fund) and payment instructions
- Benefit calculations/statements
- Tax applications
- Tax directives
- IT 88 notifications
- Duplicates of tax certificates
- Section 37D instructions
- Copy of any other court order against benefits
- Letter of confirmation of payment
- Copy of cheque (or cheque/EFT payment reference)
- Beneficiary nomination form (death claims)
- Declaration of qualifying partner (death claims)
- Board of Trustee's resolution on distribution of death benefits
- Insurance benefit statement by insurer (death claims)
- Copy of death certificate
- Statement by employer and employee (disability claims)
- Acceptance/declination letter (disability claims)

Member data

- Membership data
- Contribution records
- Member individual investment choice option forms
- Flexible benefit member option forms

Section 14 transfers/liquidations

- Calculations
- Option forms (where applicable)
- Tax application forms
- Tax directives
- Tax certificates (Duplicate - where applicable)
- Letter of confirmation of payment (liquidation only)
- Copy of Section 14 application lodged
- Copy of Section 14 certificate

Pensioners

- Special tax directives, including IT 88's, garnishee orders, etc.
- Calculations of commutation of pensions
- Letter of pension increase



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- Certificate of existence of pensioner
- Death certificates
- Annuity option forms
- Board of Trustee's instruction regarding payments
- Contracts of outsourcing of pensioners
- Proof of study of beneficiaries

Disability

- Medical records and opinions (where applicable)
- Certificate of continued disability
- Escalator notification
- Letter of confirmation of payment
- EFT payment reference
- Proof of recovery documentation
- Letter of suspension/reinstatement from underwriter

Accounting records

- Cashbooks and bank reconciliations
- General ledgers
- Trial balances
- Documentation of audit and working papers
- Bank statements
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)

General records

- Minute books
- Board of Trustee's registers
- Board of Trustee's details
- Policy documents relating to GLA
- Documentation relating to the review of insurance
- Agendas of all meetings
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Statements detailing the asset values for the Fund
- Communication sent to members of the Fund
- Contracts with service providers
- Correspondence to Board of Trustees regarding Fund matters
- Correspondence to members/pensioners
- Confirmation as to appointments of the Fund
- Copies of Pension Fund Adjudicator complaints lodged against the Fund and Fund's response thereto
- Communication with SARS and FSCA
- Participating employer details
- Housing loan forms, record of payments, settled claims and approvals (if applicable)
- Investment strategy documents
- Surplus apportionment exercise documents



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10.3 REQUEST PROCEDURE

- To facilitate the processing of a request the prescribed form (**Annexure A**) which is available on the Fund's website must be submitted to the Information Officer as per the contact details provided following which a PAIA request reference number will be allocated. The reference number must be used throughout all correspondence and the requester is required to do the same.
- The requester must provide sufficient detail on the request form to enable the Fund to identify the record and the requester.
- The requester should also indicate;
 - Which form of access is required (for instance if the requester is blind, the access will not be via email);
 - The right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Fund (Letter of Authorisation).

11. DECISION ON REQUEST AND NOTICE THEREOF

- 11.1** The Information Officer will, within 30 business days from the date of submission, decide whether to grant or refuse the request and notify the requester of the decision and, if the requester stated, that he or she wishes to be informed of the decision in any other manner, inform him or her in that manner if it is reasonably possible. (**Annexure A**).
- 11.2** The Information Officer may extend the period of 30 business days ('date of submission') once for a further period of not more than 30 business days if the;
- Request is for a large number of information or,
 - Requires a search for information or, information cannot reasonably be obtained within the original 30 business days period or,
 - Request requires consultation amongst divisions.
- 11.3** The Information Officer will notify the requester in writing should an extension be sought.
- 11.4** Should the Information Officer refuse access to the information requested, the requester may lodge an internal appeal with the Board of Management of the Fund. If dissatisfied with the decision of the Board of Management an aggrieved party still has an opportunity to approach the courts.

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Fund to refuse a request for information relates to the:

- 12.1** Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 12.2** Mandatory protection of the commercial information of a third party, if the record contains:



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- Trade secrets of that third party;
- Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- Information disclosed in confidence by a third party to the Fund, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

12.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

12.4 Mandatory protection of the safety of individuals and the protection of property;

12.5 Mandatory protection of records which would be regarded as privileged in legal proceedings; and

12.6 The financial activities of the Fund.

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources, will be refused.

Should, after a diligent search, the record requested not be found, the Fund will by way of affidavit give notification that it is not possible to give access to that record.

13. THE INFORMATION REGULATOR

13.1 ESTABLISHMENT

The Regulator is established in terms of Section 39 of POPIA, which enjoins the Regulator to be independent and impartial, and to perform its functions and exercise its powers without fear, favour or prejudice and it is accountable to the National Assembly.

The Regulator is responsible for the promotion and protection of the right to privacy as it relates to the protection of personal information and the right of access to information. In this regard, it exercises its powers and performs its functions in accordance with POPIA and PAIA.

13.2 POWERS, DUTIES AND FUNCTIONS

The Regulator derives its Constitutional mandate from sections 14 (the right to privacy) and section 32 (the right of access to information) of the Constitution. Accordingly, the Regulator's primary objective is to promote the protection of personal information processed by any person and the promotion of the right of access to any information held by public and private bodies.

Section 40 of POPIA makes provision for the following powers, duties and functions of the Regulator

- to provide education by-
- to monitor and enforce compliance by-
- examining any proposed legislation that makes provision for the-
- to consult with interested parties by-
- to handle complaints by-



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- to conduct research and to report to Parliament-
- in respect of codes of conduct to-
 - issue, from time to time, codes of conduct, amend codes and to revoke codes of conduct;
 - make guidelines to assist bodies to develop codes of conduct or to apply codes of conduct; and
 - consider afresh, upon application, determinations by adjudicators under approved codes of conduct.
- to facilitate cross-border co-operation
- exercise and perform such other functions, powers, and duties as are conferred or imposed on the Regulator by or under PAIA and POPIA or any other legislation;
- require the responsible party to disclose to any person affected by a compromise to the integrity or confidentiality of personal information, such compromise in accordance with section 22 of POPIA; and
- exercise the powers conferred upon the Regulator by PAIA and POPIA in matters relating to the access of information as provided by the Act.
- To publish reports relating generally to the exercise of the Regulator's functions under PAIA and POPIA or to any case or cases investigated by the Regulator.

Section 77C(1) and (2) of PAIA makes provision for the following powers, duties and functions of the Regulator

- investigate complaints in the prescribed manner;
- Issue an Information Notice⁹
- issue an Enforcement Notice¹⁰
- compile and make available a guide on how to use this Act as contemplated in section 10;
- submit reports to the National Assembly as contemplated in section 84;
- to the extent that financial and other resources are available;
 - develop and conduct educational programmes to advance the understanding of the public, in particular of disadvantaged communities, of this Act and of how to exercise the rights contemplated in the Act;
 - encourage public and private bodies to participate in the development and conduct of programmes and promote timely and effective dissemination of accurate information by public bodies about their activities.
- make recommendations for
 - the development, improvement, modernisation, reform or amendment of this Act or other legislation or common law having a bearing on access to information held by public and private bodies, respectively;
 - procedures in terms of which public and private bodies make information electronically available;
- monitor the implementation of the Act;
- if reasonably possible, on request, assist any person wishing to exercise a right contemplated in the Act;
- recommend to a public or private body that the body make such changes in the manner in which it administers the Act as the Regulator considers advisable;
- train information officers and deputy information officers of public bodies;
- consult with and receive reports from public and private bodies on the problems encountered in complying with the Act;



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- obtain advice from, consult with, or receive and consider proposals or recommendations from, any public or private body official of such a body or member of the public in connection with the Regulator's functions in terms of the Act;
- for the purposes of section 84(b)(x), request the Public Protector to submit to the Regulator, information with respect to:
 - the number of complaints lodged with the Public Protector in respect of a right conferred or duty imposed by this Act;
 - the nature and outcome of those complaints; and

generally, inquire into any matter, including any legislation, the common law and any practice and procedure, connected with the objects of the Act.

⁹Section 77I (1) of PAIA.

¹⁰Section 77J (1) of PAIA.

13.3 SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC

Complaints under POPIA

- Any person alleging interference with the protection of the personal information of a data subject may, in terms of section 74(1) of POPIA, submit a complaint to the Regulator. Any person who wishes to submit a complaint contemplated in section 74(1) of POPIA must submit such a complaint to the Regulator on Form 5 (Part I thereof) available on the Regulator's website.
- A responsible party or data subject who is aggrieved by a determination, including any declaration, order or direction that is included in the determination, made by an adjudicator, may submit a complaint to the Regulator against the determination in terms of section 74(2) of POPIA. Please note that there is a fee payable by a responsible party or data subject in respect of a complaint lodged against the adjudicator's determination.
- A responsible party or a data subject who wishes to submit a complaint contemplated above, must submit such a complaint to the Regulator on Form 5 (Part II thereof) available on the Regulator's website.

Complaints under PAIA

- A requester or third party may only submit a complaint to the Regulator after that requester or third party has exhausted the internal appeal procedure against a decision of the Information Officer of a National, Provincial or Local sphere of government.
- However, with regard to a public body, in respect of which an internal appeal is not applicable and a private body, a requester or third party may submit a complaint to the Regulator, if not satisfied by the decision of the body concerned.
- A complaint to the Regulator by a requester or third party must be lodged within 180 days of receipt of the decision from the body and must be submitted using Form 5 (**Annexure A**).

13.4 CONTACT DETAILS

The Information Officer/Deputy Information Officer of the Regulator or the Office of the Regulator can be contacted to access the Regulator's services.



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The Information Officer's details are as follows:

Full Name: Mr Mosalanyane Mosala
Contact Number: 010 023 5251
Email: MMosala@inforegulator.org.za

The Deputy Information Officer's details are as follows:

Full Name: Mr Jaco Jansen
Contact Number: 010 023 5237
Email: JJJansen@inforegulator.org.za

Postal Address: P.O. Box 31533 Braamfontein Johannesburg 2017
Physical Address: JD House; 27 Stiemens Street Braamfontein Johannesburg 2001
Tel: 010 023 5200
Email: enquiries@inforegulator.org.za
Website: <https://www.inforegulator.org.za>

14. REVISION HISTORY

The Manual must be reviewed and approved at least annually.

Date	Version	Author
February 2021	1	Simeka Consultants and Actuaries (Pty) Ltd
June 2021	2	Information Officer
December 2021	3	Information Officer
December 2024	4	Information Officer
March 2025	5	Information Officer
April 2025	5	Board of Trustees

15. INTERPRETATION

- Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time.
- If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this Manual.
- Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document.
- Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a



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business day.

- Any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be.
- The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *ejusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s.
- Insofar as there is a conflict in the interpretation of or application of this Manual and the Act, the Act shall prevail.

16. APPROVAL AND SIGNATORIES

This Manual was formally adopted by the BoT. We the undersigned declare this to be the PAIA Manual of the Electrical Industry Kwa-Zulu Natal Pension Fund and that by establishing this manual, we have acted objectively and in the best interest of the Fund members.

Signed Electronically as approved 03 April 2025.

(Mr Dave Alcock)
Chairperson

(Mr Deon van Deventer)
Deputy Chairperson

(Trustee)
Full Name

(Trustee)
Signature

(Ms Lizané van der Merwe)
Principal Officer



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ANNEXURE A (FORMS)

Request to the Regulator



**INFORMATION
REGULATOR
(SOUTH AFRICA)**
Ensuring protection of your personal information
and effective access to information

Address: JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001
P.O. Box 31533
Braamfontein, Johannesburg, 2017
Tel: 010 023 5200
Email: PAIACompliance@infoRegulator.org.za

REQUEST FOR A COPY OF THE GUIDE

FORM 1

[Regulation 2]

Full names:			
In my capacity as (mark with "x"):	Information officer		Other
Name of *public/private body (if applicable)			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact numbers:	Tel.(B):		Cellular:

hereby request the following copy(ies) of the Guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
<input type="checkbox"/> Sepedi		<input type="checkbox"/> Sesotho	
<input type="checkbox"/> Setswana		<input type="checkbox"/> siSwati	
<input type="checkbox"/> Tshivenda		<input type="checkbox"/> Xitsonga	
<input type="checkbox"/> Afrikaans		<input type="checkbox"/> English	
<input type="checkbox"/> isiNdebele		<input type="checkbox"/> isiXhosa	
<input type="checkbox"/> isiZulu			

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of requester

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Prof. SL Snail ka Mtuze (Part-time Member), Ms. A Tilley (Part-time Member).



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Request to the Information Officer

FORM 1

REQUEST FOR A COPY OF THE GUIDE

[Regulations 3]

TO: The Information Officer

I,

Full names:	ef			
In my capacity as (mark with "x"):	Information officer		Other	
Name of *public/private body (if applicable)				
Postal Address:				
Street Address:				
E-mail Address:				
Facsimile:				
Contact numbers:	Tel.(B):		Cellular:	

Hereby request the following copy (ies) of the Guide:

Language (mark with "X")		No of copies	Language(mark with "X")		No of copies
<input type="checkbox"/>	Sepedi		<input type="checkbox"/>	Sesotho	
<input type="checkbox"/>	Setswana		<input type="checkbox"/>	siSwati	
<input type="checkbox"/>	Tshivenda		<input type="checkbox"/>	Xitsonga	
<input type="checkbox"/>	Afrikaans		<input type="checkbox"/>	English	
<input type="checkbox"/>	isiNdebele		<input type="checkbox"/>	isiXhosa	
<input type="checkbox"/>	isiZulu				

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signed at this day of 20

Signature of requester



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FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			

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FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE [Regulation 8]

Note:

- If your request is granted the—
 - amount of the deposit, (if any), is payable before your request is processed; and
 - requested record/portion of the record will only be released once proof of full payment is received.
- Please use the reference number hereunder in all future correspondence.

TO:

Reference number:

--

Your request dated

--

, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
--	--

OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (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)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

--



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INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number: _____

PARTICULARS OF PUBLIC BODY			
Name of Public Body			
Name and Surname of Information Officer:			
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			
Is the internal appeal lodged on behalf of another person?		Yes	No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>		<input type="checkbox"/>	<input type="checkbox"/>
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			



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**INFORMATION
REGULATOR
(SOUTH AFRICA)**
Ensuring protection of your personal information
and effective access to information

Address: JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001
P.O. Box 31533
Braamfontein, Johannesburg, 2017
Tel: 010 023 5200
Email: PAIAComplaints@infoRegulator.org.za

COMPLAINT FORM

FORM 5
[Regulation 10]

NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: PAIAComplaints@infoRegulator.org.za or complete online complaint form available at <https://www.justice.gov.za/inforeg/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
 - a. Copy of the form to the Body requesting access to records;
 - b. The Body's response to your complaint or access request;
 - c. Any other correspondence between you and the Body regarding your request;
 - d. Copy of the appeal form, if your complaint relate to a public body;
 - e. The Body's response to your appeal;
 - f. Any other correspondence between you and the Body regarding your appeal;
 - g. Documentation authorizing you to act on behalf of another person (if applicable);
 - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT (Mark with an "X")

- ☐ Complainant Personally
- ☐ Representative of Complainant
- ☐ Third Party

PREREQUISITES

Did you submit request (PAIA form) for access to record of a public/private body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Have you applied to Court for appropriate relief regarding this matter?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Adv. FDP Tiakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Prof. SL Snail ka Mtuze (Part-time Member), Ms. A Tilley (Part-time Member).



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**INFORMATION
REGULATOR
(SOUTH AFRICA)**

Ensuring protection of your personal information
and effective access to information

Address: JD House, 27 Stiemens Street

Braamfontein, Johannesburg, 2001

P.O. Box 31533

Braamfontein, Johannesburg, 2017

Tel: 010 023 5200

Email: PAIACompliance@infoRegulator.org.za

REQUEST FOR ASSESSMENT

FORM 13

[Regulation 14(1)]

I,

Full Name(s)			
Postal Address			
Street Address			
E-Mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

hereby, in terms of section 77H of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), request that the Information Regulator assess whether the under-mentioned public or private body generally complies with the provisions of the Act insofar as its policies and implementation procedures are concerned.

Name of Private / Public Body			
Postal Address			
Street Address			
E-Mail Address			
Contact Number(s)	Tel. (B)		Facsimile
	Cellular		