

MIDLANDS BUILDING INDUSTRY RETIREMENT FUND

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 20/2000 ("the Act")

The **Midlands Building Industry Retirement Fund** is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

A. CONTACT DETAILS

1. Head of the Fund: Mr John Osler
2. The Financial Services Board PF Number of the Fund is: 12/8/8279
3. The registered address of the Fund is: 40 Essex Terrace, Westville, 3629
4. The postal address of the Fund is: P O Box 582, Westville, 3630
5. The contact telephone number for the Fund is: 031 - 2667070
6. The contact facsimile number for the Fund is: 031 - 2660981
7. The email address of the Head Office of the Fund is: vishane@masterbuilders.co.za

B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE

Any person who wishes to exercise any right contemplated in the Promotion of Access to Information Act, 2000, may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission. The Human Rights Commission may be contacted at:

Address: Private Bag 2700 Houghton 2041
 Telephone: (011) 877 3600
 Facsimile: (011) 403 0668
 Website: <http://www.sahrc.org.za>.

C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 OF 1956

- (a) The following records of the Fund are available on demand by a member of the Fund:
- (i) the registered rules of the Fund (including amendments);
 - (ii) the last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.

The fee for such access, as set out in the rules of the Fund, is at the discretion of the Trustees

- (b) The following records are available for inspection at the registered address of the Fund (see A3 above) at no charge:
- (i) the documents referred to in C(a) above;
 - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
 - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;

- (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) Note – in terms of section 22 of the Pension Funds Act, any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar of Pension Funds a copy thereof or extract therefrom. The Registrar of Pension Funds may be contacted at:

Address: Riverwalk Office Park, Block B, 41 Matroosberg Road, Ashlea Gardens, Extension 6, Pretoria, 0102
 Telephone: (012) 428 8000
 Facsimile: (012) 347 0221
 Website: www.fsca.co.za

D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the administrators, auditors, consultants, actuaries and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requested. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect 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 a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund.
- The head of the Fund must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The head of the Fund will then make a decision whether to grant the request or not and notify the requester in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. AVAILABILITY OF THE MANUAL

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). Furthermore, a copy is available from the Human Rights Commission (see contact details in B above).

F. DESCRIPTION OF RECORDS HELD BY THE FUND

Claims (Withdrawals, Retirements, Deaths & 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)
- Section 37D deduction instruction (where applicable)
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Trustees' Resolution – Disposal of benefit **(deaths only)**
- Insurance received – statement by insurer **(deaths only)**
- Copy of death certificate
- Statement by Employer **(disability only)**
- Statement by Employee **(disability only)**
- Acceptance / Declination Letter **(disability only)**

Member Data

- New entrant data
- Contribution records
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit / surplus / calculations
- Flexible benefit member option forms (where applicable)

Section 14 Transfers / Liquidations

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate – where applicable)
- Payment letter **(liquidations only)**
- Copy of S14 application lodged (transferor fund)
- Copy of S14 (1) (e) certificate (transferee and transferor funds)

Funeral Benefit Claims

- Claim form
- Copy of death certificate
- Payment letter

Pensioners:

Annuity / Traditional Funds

- Special tax directives, including IT 88's, garnishees, etc
- Commutation of pensions – calculations
- Pensioner increase notifications
- Certificates of existence
- 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
- 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
- Deposit slips (where applicable)

Miscellaneous

- Copies of signed rules and amendments
- Minute books
- Trustee registers
- Original or copies of all policy documents relating to GLA, PHI dread disease, stated benefits, travel, funeral, fidelity, etc (obviously where the fund has such a benefit)
- Documentation relating to the review of insurances on an annual basis as well as the quotations obtained from insurers to a rebroke exercise.
- Agendas for all meeting 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 e.g. Trustees' reports, Member level Investment Choice, 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 Officer and Actuary of Fund
- Copies of Pension Fund Adjudicator complaints lodged
- Certain communication with SARS and FSB

FORM C
REQUEST FOR ACCESS TO A RECORD OF
MIDLANDS BUILDING INDUSTRY RETIREMENT FUND

[SECTION 53(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF
2000]

[REGULATION 10]

A. Particulars of KWAZULU NATAL PROVIDENT FUND

The Principal Officer	
Midlands Building Industry Retirement Fund	
40 Essex Terrace, Westville, KwaZulu Natal	
P O Box 582, Westville 3630	
Tel No.	: 031 2667070
Facsimile	: 031 2660981
E.mail	: vishane@masterbuilders.co.za

B. Particulars of person requesting access to the record

1.	<i>The particulars of the person who requests access to the record must be given below.</i>
2.	<i>Furnish an address and/or fax number in the Republic to which information must be sent.</i>
3.	<i>Proof of the capacity in which the request is made, if applicable, must be attached.</i>

Full names and
surname: _____

Identity

number: _____

Postal

address: _____

Facsimile no. : _____

Contact telephone

number : _____

E.mail address : _____

Capacity in which request is made, when made on behalf of another person:
(attach proof of capacity, e.g. power of attorney, resolution)

C. Particulars of person on whose behalf request is made

<i>This section must only be completed if a request is made on behalf of another person</i>

Full names and
surname: _____

Identity

number: _____

Postal

address: _____

Facsimile no. : _____

Contact telephone

number : _____

E.mail address : _____

D. Particulars of Record

- | | |
|----|---|
| 1. | <i>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.</i> |
| 2. | <i>If the space provided is insufficient to complete this section, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.</i> |

1 Description of record and all relevant parts of the record

2 Reference number,

if available: _____

3 Any further particulars of record

E. FEES

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

Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and in which form the record is required.

Disability	Form in which record is required

Mark the appropriate box with an "X".

NOTES:

1. *Your indication as to the required form of access depends on the form in which the record is available*
2. *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.*
3. *The fee payable for access to the record, if any, will partly be determined by the form in which access is requested.*

1. **If the record is in written or printed form -**
☐ copy of record*

☐ inspection of record

2. **If record consists of visual images –** (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)

<i>Mark your choice. REMEMBER: If you require a record to be posted to you, you will have to pay a postal fee.</i>		
*If you requested a copy or transcript of a record (above), do you wish the copy or transcription to be posted to you?	YES	NO

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the space provided is insufficient to complete this section, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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

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

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof 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 _____ this _____ day of _____ 20____

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE
PROMOTION OF ACCESS TO INFORMATION ACT

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in Regulation 9(2)(c) is R1.10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in Regulation 11(1) are as follows:

		R
2.1	For every photocopy of an A4-size page or part thereof	1.10
2.2	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine	0.75
2.3	For a copy in a computer-readable form on –	
	[i] stiffy disc	7.50
	[ii] Compact disc	70.00
2.4	[i] For a transcription of visual images, for an A4-size page or part thereof	40.00
	[ii] For a copy of visual images	60.00
2.5	[i] For a transcription of an audio record, for an A4-size page or part thereof	20.00
	[ii] For a copy of an audio record	30.00

3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50.00.
4. The access fees payable by a requester, referred to in Regulation 11(3) are as follows:

		R
4.1	For every photocopy of an A4-size page or part thereof	1.10
4.2	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine	0.75
4.3	For a copy in a computer-readable form on –	
	[i] stiffy disc	7.50
	[ii] Compact disc	70.00
4.4	[i] For a transcription of visual images, for an A4-size page or part thereof	40.00
	[ii] For a copy of visual images	60.00
4.5	[i] For a transcription of an audio record, for an A4-size page or part thereof	20.00
	[ii] For a copy of an audio record	30.00
4.6	To search for and prepare the record for disclosure for each hour or part of an hour reasonably required for such search and preparation.	30.00

5. For the purposes of **Section 54(2)** of the Act, the following applies:
 - 5.1 six hours as the hours to be exceeded before a deposit is payable; and
 - 5.2 one third of the access fee is payable as a deposit by the requester.
 - 5.3 The actual postage is payable when a copy of the record must be posted to a requester.