

Disclosure of Information and Retirement Funds

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What does the fund have to consider?

- Pension Funds Act
- Court cases
- Adjudicator decisions
- Constitution & Promotion of Access to Information Act

The Pension Funds Act

- What information do I have to give to members in terms of the Act?
- Can the fund charge when providing information to members?

The basics - from the Adjudicator

- Fiduciary duties iro disclosure of info – good faith
- Relevant and appropriate
- Depends on the circumstances
- Demonstrate right
- Orders: prejudice and compensation or disclosure

Specific circumstances

- Divorce
- Remuneration
- Minutes
- Restructuring/transfer
- Preservation funds
- Trustees against trustees

Promotion of Access to Information Act

- Does it apply to funds?
- Who takes the heat?
- Who can ask for info?
- When must the fund give info?
- Should I refer him/her to the Act?

Promotion of Access to Information Act cont...

- How long does the fund have to give the info?
- In what form must the fund give the info?
- How much can the fund charge?
- What if I just don't give the requestor the info?
- Can they take the fund to court?

Section 51 manual

- What is this manual?
- Does the fund have to do one?
- When must the fund do one by?
- Any penalties?
- Who must the fund copy the manual to?
- What must it contain?

■ Questions

■ Thank you!