



BOTSWANA PUBLIC OFFICERS

**PENSION
FUND**

Driving Member Value

BPOPF GENERAL PRIVACY NOTICE

LAST UPDATED: MARCH 2025

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1. INTRODUCTION

- 1.1 Botswana Public Officers Pension Fund (“BPOPF”), situated at Peelo Place, Unit 3, Second Floor, Plot 54366, CBD, Gaborone, Botswana, is committed to protecting Personal Information, or Personal Data (defined below) and takes data protection seriously. This General Privacy Notice applies to all persons who provide and/or receive information with/from the BPOPF, in particular Personal Information. This is intended to ensure that those who proceed to engage with us have informed consent.
- 1.2 The processing of Personal Data, such as the name, address, e-mail address, or telephone number of a data subject shall always be in line with local Data Protection Laws and/ or specific data protection regulations implemented by BPOPF. By means of this Privacy Notice, the BPOPF would like to inform stakeholders of the nature, scope, and purpose of the Personal Data we collect, use and process. Furthermore, data subjects are informed of the rights to which they are entitled.
- 1.3 BPOPF confirms that it has implemented technical and organizational measures to promote the protection of Personal Data. However, absolute protection is not guaranteed. Where measures are breached, BPOPF shall endeavour to be transparent.
- 1.4 In all cases, the content herein shall be subject to the reasonable assessments of BPOPF from time to time, including its technical and cost limitations and other legitimate interests.

2. DEFINITIONS

- 2.1 In this declaration, we use, *inter alia*, the following terms:
 - 2.1.1 **“Consent”** means the consent of the data subject which is any freely given, specific, informed and unambiguous indication of the wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
 - 2.1.2 **“Controller or controller responsible”** for the processing means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
 - 2.1.3 **“Data subject”** means any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

- 2.1.4 **“Personal Data”/Personal Information** means any information relating to a data subject. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. For the purposes of this Notice, your business title or business contact information when used or disclosed in the course of business communication is not Personal Data.
- 2.1.5 **“Processing”** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- 2.1.6 **“Profiling”** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.
- 2.1.7 **“Pseudonymization”** means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.
- 2.1.8 **“Processor”** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- 2.1.9 **“Recipient”** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.
- 2.1.10 **“Restriction of processing”** means the marking of stored personal data with the aim of limiting their processing in the future.
- 2.1.11 **“Third party”** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data.

3. **WHO WE ARE?**

- 3.1 BPOPF is a pension fund registered as such in accordance with the Retirement Funds Act of the Republic of Botswana, with registration number 147, having its registered address and principal place of business at Peelo Place, Unit 3, Second Floor, Plot 54366, CBD, Gaborone, Botswana.
- 3.2 For purposes of the Data Protection Act of Botswana, BPOPF will in certain instances operate as Data Controller and/or Processor.

BOTSWANA PUBLIC OFFICERS PENSION FUND
UNIT 3, SECOND FLOOR PEELO PLACE
PLOT 54366, CENTRAL BUSINESS DISTRICT
GABORONE, BOTSWANA
CONTACT: +267 391 1445/ +267 361 7000

4. **WHAT DATA PROTECTION STANDARDS DO WE ADHERE TO?**

4.1 We comply with the Data Protection Act of Botswana, which provides that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

5. **DATA COLLECTION**

- 5.1 The exact type of data we collect will depend on the nature of the business relationship. Nevertheless, we collect data solely for business purposes.
- 5.2 Our systems may collect general data which is mostly anonymized but may be used to measure how the systems are working, monitor usage for audit purpose, ensure optimal user experience, etc.
- 5.3 Moreover, we may collect Personal Data through various means as required to comply with Retirement Funds Act and other laws in order for us to deliver products and services

to our members. Personal Data is collected only where required by law and is used and disclosed only to fulfil legal requirements.

5.4 Each department within the BPOPF currently collects data of different categories, types and in different methods. Below is an illustrative summary:

Department	Category of Personal Data	Detail of data type	Source
<u>IT</u>	Member data	ID numbers, Phone numbers, email addresses, mailing addresses, age, DOB, POB, gender, financial information, employment history, education history, biometric data	Mostly the Fund Administration Services Provider (currently NMG Botswana)
	BPOPF employees Data	ID numbers, Phone numbers, email addresses, mailing addresses, age, DOB, POB, gender, financial information, employment history, education history, biometric data	Employee
<u>Human Capital</u>	BPOPF employees Data	name, identity number, phone numbers, email addresses, mailing address, age, banking details, date of birth, place of birth, loan records, gender, marital status, employment history, and education history, medical records, credit records, criminal offence record)	Employee
	Dependants and next of kin of BPOPF employees	name, identity number, phone numbers, email addresses, mailing, relationship with employee, medical records	Employee
<u>Benefits</u>	Member Data	identity number, phone numbers, email addresses, mailing address, age, date of birth, place of birth, gender, reputation, income, employee files, employment history, and education history & employment financial history, health records (sensitive personal data)	Mostly the Fund Administration Services Provider (currently NMG Botswana)
	Dependants and beneficiaries of members	identity number, phone numbers, email addresses, mailing address, age, date of birth, place of birth, gender, weight, height, marital status, other personal characteristics, character, general reputation, income, loan records, purchase, spending habits, credit records, credit score, IP address, employee files, employment history, and education history.	Mostly the Fund Administration Services Provider (currently NMG Botswana)

	Guardians to minor beneficiaries	identity number, phone numbers, email addresses, mailing address, age, date of birth, place of birth, gender.	Mostly the Fund Administration Services Provider (currently NMG Botswana)
<u>Legal</u>	Trustee data	Name, identity number, postal address, physical address, age, phone numbers, email address, marital status, education history, employment history, taxpayer identification numbers, criminal records, trade union membership, and financial information	Trustee
	Executive Management data	same as above	Human Capital Department, Management
<u>Finance</u>	BPOPF employees Data	Name, identity number, phone number, email addresses, mailing addresses, date of birth, place of birth, gender, social status, gender reputation, income, other financial information e.g. bank accounts	Employee, Human Capital Department
<u>Investments</u>	Trustee data	Name, identity number, postal address, physical address, age, phone numbers, email address, marital status, education history, employment history, taxpayer identification numbers, criminal records, trade union membership, and financial information	Trustee, Legal Department
	Executive Management data	same as above	Human Capital Department, Legal Department, Management
	Signatory lists from 3rd party asset managers	numbers, phone numbers, email addresses, mailing address, age, date of birth, place of birth, gender & marital status.	Service Providers

<u>Risk & Compliance</u>	Sanction Screening Service Provider	Identity numbers, names, place of birth, date of birth, gender, occupation, physical address, financial information, phone numbers and email addresses	Sanctions Screening Software
	Whistleblowing facility service provider	Identity numbers, names, place of birth, date of birth, gender, occupation, physical address, financial information, phone numbers and email addresses	anonymous
<u>Internal Audit, Strategy and Change, Corporate Communications, All Departments</u>	KYC data from service providers	Identity numbers, names, place of birth, date of birth, gender, occupation, physical address, financial information, phone numbers and email addresses, passport/ID details, financial statements (PIPs)	service providers

6. WITH WHOM DO WE SHARE YOUR PERSONAL DATA?

- 6.1 We may share your Personal Data with our employees, trustees, regulators/public authorities, and service providers. In these cases there would be a legitimate business need to know the information for the purposes described in this Notice. We assess and ensure that there is a need to know basis.
- 6.2 Those with whom we share information are contractually bound to keep all Personal Data confidential and to only use Personal Data for the purpose of providing us with the requested services. Such service providers are required to maintain adequate standards to ensure protection of Personal Data. Third parties will typically be made to sign confidentiality and non-disclosure agreements.
- 6.3 We have conducted an audit of such service providers in order to ensure that their systems are safe. The audit was conducted independently by an external law firm.

- 6.4 We may also share information with persons whom a Data Subject requests sharing.

7. MEMBER PERSONAL DATA

- 7.1 Member Personal Data is mostly obtained from and/or shared with the Fund Administration Services Provider (currently NMG Botswana). All pension funds in Botswana are required by the Retirement Funds Act to appoint such a third party and their scope of services includes payment of benefits to dependents and beneficiaries. These dependents and beneficiaries may include minors, in which case additional protections and consents apply.
- 7.2 Other notable recipients of Member Personal Data include regulators, public authorities, actuary and law firms. A list of our law firms and actuary is published in our annual financials that are made available on our website.
- 7.3 Furthermore, BPOPF may obtain member information itself, for example through direct member engagement, use of tracing companies to find members/dependents/beneficiaries, and/or use of contractors to source KYC information.

8. HOW DO WE SECURE YOUR PERSONAL DATA?

- 8.1 BPOPF takes reasonable and appropriate administrative, technical and physical precautions to protect the confidentiality, integrity and availability of your Personal Data, whether in electronic or tangible, hard copy form. We take reasonable and appropriate measures to protect Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction.
- 8.2 Technical measures include:
- 8.2.1 regular I.T audit done by both internal and external resources
 - 8.2.2 regular I.T Red-Teaming and Penetration testing done by independent external firms
 - 8.2.3 use of high standard cloud-based technology
 - 8.2.4 encryption technology
 - 8.2.5 use of secure professional offsite storage facilities that adhere to international standards
 - 8.2.6 dedicated on-site Records Management Unit
 - 8.2.7 secure offices manned 24/7 by outsourced licensed security service providers

9. PURPOSE LIMITATION, DATA INTEGRITY AND RETENTION

9.1 We limit the collection, use and retention of your Personal Data to that which is relevant for the purposes described herein or other purposes consistent with reasonable expectations given the context of the collection. In addition, we take reasonable steps to ensure that Personal Data is reliable for its intended use, accurate, complete, and current. The period for which your Personal Data will be stored results from legal obligations specified in relevant laws (for example, laws concerning workers compensation or taxes), or as long as the Personal Data is necessary for the purposes of the legitimate interests pursued by BPOPF, and in cases where processing based on your consent, as long as that consent is valid.

9.2 Below is a non-exhaustive summary of the grounds for processing:

Department	Grounds For Processing	Intended Purpose for Data Collection
Information Technology	<ul style="list-style-type: none"> • Legal obligation • Vital interest • Public interest • Legitimate interests • Performance of contract 	Service: providing access to systems, vendor KYC, departmental access matrix
Human Capital	The information is required for business operations and adherence to Employment Act	Employment obligation
Member Benefits	<ul style="list-style-type: none"> • Contract • Legal obligation • Vital interest • Public interest 	Process benefits
Legal	<ul style="list-style-type: none"> • Legal obligation • Compliance and disclosure requirements of Corporate Governance • Consent • Legitimate interest • Performance of contract 	Legal obligation, attend to legal queries and/or litigation matters
Strategy Change and	Legal obligation	KYC Purposes
Finance	<ul style="list-style-type: none"> • Consent • Legal obligation • Vital interest • Legitimate interest • Performance of a contract 	Procurement of goods and services KYC Authorization of salary payments

Investments	Statutory requirements	KYC Compliance
Risk & Compliance	Statutory requirements	KYC Compliance
Internal Audit	Consent	Employment contract
Corporate Communications	<ul style="list-style-type: none"> • Vital interest • Public interest 	<ul style="list-style-type: none"> • Member: data used for stakeholders' satisfaction survey • Executive management: for member/ public consumption • Board members: for member/ public consumption
Administration	Business operations, legal obligations, vital interests	<ul style="list-style-type: none"> • KYC • Visitors' records

10. **HOW CAN YOU ACCESS AND CORRECT YOUR PERSONAL DATA?**

Depending on the applicable law, you may have various rights in respect to your personal information, such as a right of access, rectification, restriction of or objection to processing of your personal data, and portability to another controller and erasure. Please note that these rights are subject to limitations set out in law and our own business interests. In other cases there may be limits to our capacity to meet a request. When requesting access to your Personal Data, please note that we may request specific information from you so we can confirm your identity and search for and provide you with your Personal Data. You may access your personal information by contacting us using the contact information herein.

11. **YOUR OBLIGATIONS**

Please keep your Personal Data up to date and inform us of any relevant/significant changes. You agree to inform your dependents, beneficiaries, emergency contacts or other persons whose Personal Data you provide to us about the content of this Notice and about the use (including transfer and disclosure) of their Personal Data as set out in this Notice. You further agree to follow applicable law regarding your handling of any Personal Data in the course of your relationship with us.

12. **ROUTINE ERASURE AND BLOCKING OF PERSONAL DATA**

The BPOPF shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the DPA or other legislators in laws or regulations to which the BPOPF is subject to. If the storage purpose is no longer applicable, or if a storage period prescribed by the Botswana legislator or another competent legislator expires, the personal data are routinely blocked or erased in accordance with legal requirements.

13. **RIGHTS OF THE DATA SUBJECT**

13.1 ***Right of confirmation***

Each data subject shall have the right to obtain confirmation from the controller as to whether or not personal data concerning him or her is being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact the BPOPF.

13.2 ***Right of access***

13.2.1 Each data subject shall have the right granted by the DPA to obtain from the controller free information about his or her personal data stored at any time and a extract copy of this information. This includes the right to access the following information:

- (a) the purposes of the processing;
- (b) the categories of personal data concerned;
- (c) the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (e) the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- (f) the existence of the right to lodge a complaint with a supervisory authority;
- (g) where the personal data are not collected from the data subject, any available information as to their source;
- (h) the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

13.2.2 Furthermore, the data subject shall have a right to obtain information as to whether personal data is transferred to a third country or to an international organisation. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

13.3 ***Right to rectification***

Each data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete

personal data completed, including by means of providing a supplementary statement. If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact the controller.

13.4 *Right to erasure*

13.4.1 Each data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- a. The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- b. The data subject withdraws consent to which the processing is based where there is no other legal ground for the processing.
- c. The data subject objects to the processing.
- d. The personal data have been unlawfully processed.

13.4.2 If one of the aforementioned reasons apply, and a data subject wishes to request the erasure of personal data stored by the BPOPF, he or she may, at any time, contact the controller. The BPOPF shall promptly ensure that the request is processed in line with internal policies, procedures and/or guidelines. Where the controller has made personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers/ processors processing the personal data that the data subject has requested erasure by such controllers/ processor of any links to, or copy or replication of, those personal data, as far as processing is not required. BPOPF will arrange the necessary measures in individual cases.

13.5 *Right of restriction of processing*

13.5.1 Each data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- (a) The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data.

- (b) The processing is unlawful, and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
- (c) The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims.
- (d) The data subject has objected to processing whether the legitimate grounds of the controller override those of the data subject.

13.5.2 If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by us, he or she may at any time contact the controller. The BPOPF will take appropriate steps, as always balancing various interests and its own legal requirements.

13.6 ***Right to data portability***

Each data subject shall have the right, to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent, or on a contract, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Furthermore, in exercising his or her right to data portability, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others. In order to assert the right to data portability, the data subject may at any time contact BPOPF.

13.7 ***Right to object***

Each data subject shall have the right to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her. This also applies to profiling based on these provisions. The BPOPF shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims. If we processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such

marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to the processing for direct marketing purposes, we will no longer process the personal data for these purposes. In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her for scientific or historical research purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest. The data subject may contact the BPOPF for a review of this.

13.8 *Automated individual decision-making, including profiling*

Each data subject shall have the right granted by the DPA not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision:

13.8.1 is not necessary for entering into, or the performance of, a contract between the data subject and a data controller, or

13.8.2 is not based on the data subject's explicit consent. If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, the BPOPF shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision. If the data subject wishes to exercise the rights concerning automated individual decision-making, he or she may, at any time, contact the BPOPF.

13.9 *Right to withdraw data protection consent*

Each data subject shall have the right to withdraw his or her consent to processing of his or her personal data at any time. If the data subject wishes to exercise the right to withdraw the consent, he or she may, at any time, contact the BPOPF and this will be evaluated. Data subjects can also contact the Information and Data Protection Commission with a complaint at any time.

14. *PERIOD FOR WHICH THE PERSONAL DATA WILL BE STORED*

The criteria used to determine the period of storage of personal data is the respective statutory retention period. After expiration of that period, the corresponding data is routinely deleted, as long as it is no longer necessary for the fulfilment of the contract or the initiation of a contract.

15. PROVISION OF PERSONAL DATA AS STATUTORY OR CONTRACTUAL REQUIREMENT

We clarify that the provision of personal data is partly required by law (e.g. tax regulations or financial intelligence laws) or can also result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary to conclude a contract that the data subject provides us with personal data, which must subsequently be processed by us. The data subject is, for example, obliged to provide us with personal data when our organization signs a contract with him or her. The non-provision of the personal data would have the consequence that the contract with the data subject could not be concluded. Before personal data is provided by the data subject, the data subject must contact BPOPF. The BPOPF clarifies to the data subject whether the provision of the personal data is required by law or contract or is necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and the consequences of non-provision of data.

16. AUTOMATED DECISION-MAKING

The BPOPF does not, in the ordinary course of business, perform automatic decision-making or profiling.

17. CROSS-BORDER TRANSFERS

17.1 We comply with Botswana Data Protection Act to the extent that they require local storage and processing of Personal Data.

17.2 In rare instances, it may be legally necessary to transfer information, including Personal Information outside Botswana for example:

- When our clients or service providers in other countries need KYC data of our staff or Board members in order to provide us services and comply with the laws of their own countries
- When our clients or service providers in other countries need KYC data of the businesses in which we have invested;
- When a legal dispute has an international element or some of the parties are in other countries
- When we need specialist services abroad

- 17.3 Nevertheless, we would still take security measures as mentioned elsewhere in this Notice as appropriate, including contractual provisions.

18. **REVISION OF THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide a new privacy notice when we make updates. We may also notify you in other ways from time to time about the processing of your personal information.

LAST UPDATED: MARCH 2025