



BOTSWANA PUBLIC OFFICERS
**PENSION
FUND**

Driving Member Value

BPOPF WEBSITE PRIVACY NOTICE

LAST UPDATED: FEBRUARY 2025

TABLE OF CONTENTS

| | | |
|-----|--|----|
| 1. | WEBSITE DATA PROTECTION STATEMENT FOR DATA SUBJECTS | 3 |
| 2. | DEFINITIONS | 3 |
| 3. | NAME AND ADDRESS OF THE CONTROLLER | 5 |
| 4. | COLLECTION OF GENERAL DATA AND INFORMATION | 5 |
| 5. | SUBSCRIPTION TO OUR NEWSLETTERS OR UPDATES ON WEBSITE | 6 |
| 6. | NEWSLETTER-TRACKING | 7 |
| 7. | ROUTINE ERASURE AND BLOCKING OF PERSONAL DATA | 7 |
| 8. | RIGHTS OF THE DATA SUBJECT | 7 |
| 9. | DATA PROTECTION FOR APPLICATIONS AND THE APPLICATION PROCEDURES | 11 |
| 10. | PERIOD FOR WHICH THE PERSONAL DATA WILL BE STORED | 12 |
| 11. | PROVISION OF PERSONAL DATA AS STATUTORY OR CONTRACTUAL REQUIREMENT | 12 |
| 12. | IT-SECURITY | 12 |
| 13. | EXISTENCE OF AUTOMATED DECISION-MAKING | 12 |
| 14. | REVISION OF THIS PRIVACY NOTICE | 13 |

1. WEBSITE DATA PROTECTION STATEMENT FOR DATA SUBJECTS

- 1.1 Data protection is a high priority for the Botswana Public Officers Pension Fund (“**BPOPF**”). The use of the website of the BPOPF is possible without any indication of personal data however, if a data subject wants to use special enterprise services via our website, processing of personal data could become necessary. If the processing of personal data is necessary and there is no statutory basis for such processing, we obtain consent from the data subject.
- 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 in accordance with international data protection laws and/ or specific data protection regulations implemented by BPOPF. By means of this data protection declaration, the BPOPF would like to inform users of the nature, scope, and purpose of the personal data we collect, use and process. Furthermore, data subjects are informed, by means of this data protection declaration, of the rights to which they are entitled.
- 1.3 BPOPF has implemented technical and organizational measures to ensure protection of personal data processed through this website. However, internet-based data transmissions may in principle have security gaps, therefore absolute protection may not be guaranteed. For this reason, every data subject is free to transfer personal data via alternative direct means, e.g., by telephone, email or physically directly to BPOPF.
- 1.4 In all cases, the provisions stated herein shall be subject to reasonable implementation and technical constraints, in order to ensure that the BPOPF's legitimate rights as well as those of other users are protected.

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”** 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.
- 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. **NAME AND ADDRESS OF THE CONTROLLER**

Controller for the purposes of this declaration is:

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. **COLLECTION OF GENERAL DATA AND INFORMATION**

4.1 The website of BPOPF collects a series of general data and information when a data subject or automated system calls up the website. This general data and information are stored in the server log files. Collected may be:

- 4.1.1 the browser types and versions used,
- 4.1.2 the operating system used by the accessing system,
- 4.1.3 the website from which an accessing system reaches our website (so-called referrers),
- 4.1.4 the sub-websites,
- 4.1.5 the date and time of access to the Internet site,
- 4.1.6 an Internet protocol address (IP address),
- 4.1.7 the Internet service provider of the accessing system, and
- 4.1.8 any other similar data and information that may be used in the event of attacks on our information technology systems.

4.2 When using this general data and information, BPOPF does not draw any conclusions about the data subject. Rather, this information is needed to:

- 4.2.1 deliver the content of our website correctly,
- 4.2.2 optimize the content of our website,

- 4.2.3 ensure the long-term viability of our information technology systems and website technology, and
- 4.2.4 provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack.
- 4.3 Therefore, BPOPF analyses anonymously collected data and information statistically, with the aim of increasing the data protection and data security of our company, and to ensure an optimal level of protection for the personal data we process. The anonymous data of the server log files are stored separately from all personal data provided by a data subject.

5. **SUBSCRIPTION TO OUR NEWSLETTERS OR UPDATES ON WEBSITE**

- 5.1 On the website, users may be given the opportunity to subscribe to our newsletter and/ updates about the organization. The input mask used for this purpose determines what personal data are transmitted, as well as when the newsletter is ordered from the controller.
- 5.2 The BPOPF may also inform its members and business partners by the means of a newsletter or similar communications.
- 5.3 During the registration for the newsletter, we may also store the IP address of the computer system assigned by the Internet service provider (ISP) and used by the data subject at the time of the registration, as well as the date and time of the registration. The collection of this data is necessary in order to understand the (possible) misuse of the e-mail address of a data subject at a later date, and it therefore serves the aim of the legal protection of the controller.
- 5.4 Where relevant, the personal data collected as part of a registration for a digital newsletter will only be used to send out member communications. In addition, subscribers to the newsletter may be informed by e-mail, as long as this is necessary for the operation of the newsletter service or a registration in question, as this could be the case in the event of modifications to the newsletter offer, or in the event of a change in technical circumstances. There will be no transfer of personal data collected by the newsletter service to non-service provider third parties. The subscription to our newsletter may be terminated by the data subject at any time. The consent to the storage of personal data, which the data subject has given for receipt of the newsletter, may be revoked at any time.

6. NEWSLETTER-TRACKING

6.1 Our newsletter may contain so-called tracking pixels. A tracking pixel is a miniature graphic embedded in such e-mails, which are sent in HTML format to enable log file recording and analysis. This allows a statistical analysis of the success or failure of online marketing campaigns. Based on the embedded tracking pixel, the BPOPF may see if and when an e-mail was opened by a data subject, and which links in the e-mail were called up by data subjects.

6.2 Such personal data collected in the tracking pixels contained in the newsletters is stored and analyzed by the controller in order to optimize the sending of the newsletter, as well as to adapt the content of future newsletters even better to the interests of the data subject. These personal data will not be passed on to third parties. Data subjects are at any time entitled to revoke the respective separate declaration of consent issued by means of the double-opt-in procedure. After a revocation, these personal data will be deleted by the controller. The BPOPF automatically regards a withdrawal from the receipt of the newsletter as a revocation. **(Recommended to be applied by the BPOPF on website and clause be added in notice as is)**

7. 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.

8. RIGHTS OF THE DATA SUBJECT

Data subjects have rights, the implementation/interpretation of which are subject to reasonableness and the technical capacities of the organisation. Interests will be balanced so as to protect the needs of the organisation to deliver services in compliance with its legal obligations.

8.1 *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.

8.2 ***Right of access***

8.2.1 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 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.

8.2.2 Furthermore, the data subject shall have a right to obtain information as to whether personal data are 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. If a data subject wishes to avail himself of this right of access, he or she may, at any time, contact the controller.

8.3 ***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.

8.4 ***Right to erasure***

8.4.1 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.

8.4.2 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. An employee of the BPOPF shall promptly ensure that the request is processed as per internal policies and procedures/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. An employee of BPOPF will arrange the necessary measures in individual cases.

8.5 ***Right of restriction of processing***

8.5.1 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.

8.5.2 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 employee of the BPOPF will arrange the restriction of the processing.

8.6 ***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 the BPOPF.

8.7 ***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 process 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. In order to exercise the right to object, the data subject may contact the BPOPF.

8.8 *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:

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

8.8.2 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.

8.9 *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. You can also contact the Information and Data Protection Commission with a complaint at any time.

9. DATA PROTECTION FOR APPLICATIONS AND THE APPLICATION PROCEDURES

The BPOPF may collect and process the personal data of applicants for the purpose of the processing of application. The processing may also be carried out electronically. This is the case, in particular, if an applicant submits corresponding application documents by e-mail or by means of a web form on the website to the controller. If the data controller concludes an employment contract with an applicant, the submitted data will be stored for the purpose of processing the employment relationship in compliance with legal requirements. If no employment contract is concluded with the applicant by the controller, the application documents shall be automatically erased six months after notification of the refusal decision, provided that no other legitimate interests exists.

10. 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 or other legitimate interest.

11. 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 employee 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.

12. IT-SECURITY

To protect the security of your data during transmission, we use various security and encryption methods.

13. EXISTENCE OF AUTOMATED DECISION-MAKING

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

14. REVISION OF THIS PRIVACY NOTICE

We reserve the right to amend this privacy notice so that it always complies with current legal requirements or to implement changes to our services, e.g., when introducing new services. Your next visit will be subject to the new privacy notice.