



**Zenith Pensions Custodian Limited**

# **DATA PRIVACY POLICY**

**Version 1.0**

**July 2020**



## Document Control

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# APPROVAL

NAME	POSITION	SIGNATURE
Nkem Oni-Egboma	Managing Director	
Ebenezer Onyeagwu	Chairman	

## **1.0 Introduction**

- 1.1 Pursuant to its statutory mandate of keeping pension assets of contributors under the Contributory Pension Scheme (CPS) in Nigeria, Zenith Pensions Custodian Limited (ZPC) collects and keeps in custody, the personal data of pension contributors, retirees, their related persons and their employers. The data include, but are not limited to, the biometrics and biodata of contributors and retirees.
- 1.2 This Data Privacy Policy is, therefore, instituted by ZPC to inform pension contributors and retirees about the protection of their personal data collected and stored by ZPC pursuant to the performance of its statutory responsibilities. The Policy also explains how the data are collected, stored, used, as well as the few exceptional instances where such data may be disclosed.

## **2.0 Nature and reason for collection of personal data**

- 2.1 Pursuant to the provisions of the Pension Reform Act (PRA) 2014 and extant regulations, ZPC collects data of pension contributors, retirees and their related persons. These may include name, gender, marital status, date of birth, nationality, National Identification Number, employment information and Next-of-Kin Information, amongst others.
- 2.2 In particular, ZPC collects the personal data of a pension contributor in order to provide him/her the benefits of CPS. In this regard, there is the need to collect some basic personal data of contributors to ensure that uniquely identifiable persons are paid pensions in accordance with the Act. Collection of data of the next-of-kin of contributors, retirees and their related persons further ensures that ZPC has continuous access to them.

### **3.0 Consent of Data Subject**

Collection of data of the contributors, retirees and/or their related persons by ZPC shall be subject to the consent and authorization of the data subjects. Consequently, PFA may, with the consent of the data subject capture and forward data to ZPC. In addition, data recapture forms, including the electronic formats, contain data authorization clauses which are activated when the data subject completes the form.

### **4.0 Processing and Protection of Personal Data**

4.1 ZPC shall process personal data of contributors, retirees and other related persons only for the purpose for which the data is collected. ZPC shall process such data on both electronic and manual platforms, as may be required.

4.2 Only authorized officers of ZPC shall have access to the personal data of pension contributors, retirees and related persons collected. Pursuant to Section 113 of the PRA 2014, such authorized persons shall include every member of the Board, officer, employee, agent or any other person engaged or authorized by ZPC to examine any document or make an inquiry thereto. Such authorized persons have confidentiality obligation not to disclose or use any information or data with such person obtained directly or indirectly, except under the express authority of ZPC or as otherwise provided for under this Policy.

### **5.0 Storage and Retention of Personal Data**

5.1 ZPC shall securely store the personal data of pension contributors, retirees and related persons so collected in hard paper copies, computers, servers and other electronic devices.

5.2 ZPC shall hold personal data of contributor, retirees and related persons for as long as may be deemed necessary to keep track of contribution remittances and payments of benefits. The retention period shall however not be less than the 10 years, in line with the provisions of the National Archives Act, CAP.N6 Laws of the Federation of Nigeria, 2004.

## **6.0 Disclosure of Personal Data**

Without prejudice to the foregoing provisions, however, ZPC may be obliged to disclose personal data in its custody on the following reasonable circumstances:

- a) Where disclosure is made in compliance with statutory obligation or pursuant to an order of a court of competent jurisdiction.
- b) Where the data owner has expressly consented to the disclosure or instructed that his/her data be fully or partially disclosed to a named person; Provided that such consent or instruction may be withdrawn and communicated to ZPC in writing at any time before disclosure.
- c) Where the disclosure is made to the owner of the data for his/her personal use or record.

## **7.0 Violation of Data Privacy and Remedies**

Contributors, retirees or their related persons whose data privacy rights are violated under this Policy shall report in writing, such violation to the Commission and ZPC for immediate restoration. Pursuant to the provisions of the PRA 2014 and extant Regulations of the Commission, the Commission shall direct ZPC to restore the right of the affected contributor, retiree or related person immediately. Failure of ZPC to restore such rights as

appropriate shall entitle the contributor, retiree or related person to legal remedies, subject to the provisions of the Custodial Service Agreement with ZPC and the provisions of the PRA 2014.

## **8.0 Governing Laws**

This Data Privacy Policy is issued by ZPC, pursuant to the provisions of the PRA 2014, and is consistent with Sections 13 of the Constitution of the Federal Republic of Nigeria 1999 (as amended). It is also consistent with Clause 2.5 (a-i) of the Nigeria Data Protection Regulation 2019 issued by the National Information and Technology Development Agency (NITDA) and Article 8 of the International Convention on Data Protections.

## **9.0 Review and Enquiries**

This Privacy Policy is subject to review by ZPC from time to time as the need arises. All enquiries regarding the Policy should be directed to:

The Managing Director,  
Zenith Pensions Custodian  
4<sup>th</sup> & 5<sup>th</sup> floors  
Civic Towers  
Ozumba Mbadiwe Road  
Victoria Island