



Questions and Complaint procedure / Internal Dispute Resolution

Objective:

The FSMA expects an institution for occupational retirement provision (IORP) to dispose of a clear and transparent complaint procedure, informing members on the procedure to follow in the event of a complaint (note CPP-2007-2-WIBP on the prudential expectations of the CBFA (FSMA) regarding good governance of IORPs of 23 May 2007). Through this Questions and Complaint Procedure, the J&J Pension Fund wants to inform all members and beneficiaries on the procedure to follow if they have a question, an issue or a complaint in connection with their membership to the Pension Plans and/or their (accrued) pension rights.

In addition, within the framework of the General Data Protection Regulation (GDPR), obligations are imposed on the J&J Pension Fund should an infringement occur regarding personal data, also called data leak or personal data breach. A data breach exists when there is a security breach which inadvertently or unlawfully leads to the destruction, loss, modification or unauthorized disclosure of or unauthorized access to transmitted or stored data relating to an identified or identifiable natural person. In order to meet these obligations, the J&J Pension Fund intends to determine, through the following procedure, how it will deal with the occurrence of such infringements.

Procedure:

a) Contact person

As a rule, if a member or beneficiary has a question or an issue concerning his/her pension rights or his/her membership to a pension plan, he/she shall address the question or issue in writing to the administrator of the pension plan. Upon receipt of the question or the issue, the administrator shall immediately inform the person(s) responsible for the daily management of the pension plan, and in common agreement they shall decide upon the nature of the question/issue (individual or collective; precedent value or not; amount at stake - see point b) hereunder) and the appropriate follow-up according to the principles mentioned hereafter.

It is also allowed for a member or beneficiary to raise a question or issue in writing directly to the person(s) responsible for the daily management of the pension plan, in which event the latter will decide upon the nature of the question/issue (individual or collective; precedent value or not; amount at stake - see point b) hereunder) and treat the question or issue according to the principles mentioned hereafter.

b) Guiding principles for the treatment of the question, issue or complaint

1. If it concerns an individual question or issue concerning the calculation of the pension rights or the management of the pension plan, and the question or issue has no precedent value, and the amount at stake does not exceed 25.000 EUR (or an equivalent amount in another currency), the pension administrator and/or the person(s) responsible for the daily management of the pension plan, shall answer the question within four weeks after its receipt. He/she shall answer the question in writing, in a plain and clear language. If the member or beneficiary is not satisfied with the answer received, he/she shall write a



motivated complaint explaining the question/issue at stake, the answer received, and the reasons why he/she does not agree with this answer, within four weeks after the date of receipt of the answer. This motivated complaint will be addressed to the person(s) responsible for the daily management of the pension plan, with the question to submit it to the Board of Directors, at its next meeting. As from then, the procedure described under point 2 will be followed.

2. If it concerns a collective question or issue concerning the calculation of the pension rights or the management of the pension plan, or the question or issue has or may have a precedent value, or the amount at stake equals or exceeds in aggregate 25.000 EUR (or an equivalent amount in another currency), than the person(s) responsible for the daily management will submit the question or issue (which it received either directly or through the pension administrator) in writing to the Board of Directors of the IORP within two weeks after its receipt. Unless exceptional circumstances, the Board of Directors will discuss the question or issue at the first Board meeting following the date it received the question or issue, or the motivated complaint (point 1) from the person(s) responsible for the daily management. In the event of urgency, the Board of Directors can deal with the question, issue or complaint in writing or by conference call, or an extra-ordinary meeting can be convened. The Board of Directors can take all necessary measures to enable it to have a clear view on the question, issue or complaint, such as:
 - ask for actuarial, legal or financial advice;
 - ask for additional information from the member or beneficiary concerned, or from any other party involved (such as, for instance, the employer or previous employer);
 - hear the member or beneficiary concerned;
 - etc.

Once the Board of Directors has a clear view, it will answer the member or beneficiary concerned in writing, in a plain and clear language, explaining the reasons underlying its decision. It will do so within three months after it received the question, issue or complaint. In exceptional circumstances, this term can be extended to five months. In the event of urgency, the Board of Directors will do its utmost best to handle the question, issue or complaint as soon as possible.

The Board of Directors will inform the member or beneficiary concerned of the possibility he/she has to contest the decision in court.

3. If it concerns a question or issue regarding the interpretation of the pension plan rules or the design of the benefits, the pension administrator or person(s) responsible for the daily management will forward the question or issue within two weeks after its receipt to the HR Responsible Board member of the country concerned. The HR Responsible Board member will then, at his/her own discretion, either directly answer the question in writing within four weeks after he/she received the question, or submit the question to the relevant sponsoring undertaking(s), who will then answer the question or issue in writing according to its/their own procedure, if necessary/required with the assistance of the competent Country Pension



Council. A copy of the answer will be sent to the person(s) responsible for the daily management of the pension plan.

c) Guiding principles for the treatment of a personal data breach

The J&J Pension Fund will report an infringement to the J&J Global Service Desk by creating an incident ticket in IRIS. The incident will then be reviewed by the J&J Privacy Incident Manager who will assess whether the data breach poses a risk to the rights and freedoms of the data subject by analysing the possible adverse consequences for the data subject. After the analysis, the Privacy Incident Manager will inform the necessary parties and send the report within the set deadlines to the Data Protection Authority if certain conditions are met.

More information can be found in the "[escalation procedure](#)" attached to this document.

Reporting :

Once a year, the person(s) responsible for the daily management will draft an overview of the questions, issues, complaints and data breaches received during the preceding financial year, and will submit this overview in writing to the Board of Directors. This overview will contain (i) a brief description of the question, issue, complaint or data breach at stake (ii) if possible, it will mention the amount involved and (iii) it will indicate the follow-up that has been given to the question, issue, complaint or data breach. The Board of Directors can ask for additional information concerning the way a question or issue in which it was not involved has been answered or treated.

Approved by the Board of Directors at its meeting of 10 April 2015 .