



ERS Records Requests Frequently Asked Questions

Employees' Retirement System
of the State of Hawaii

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If you would like to request records maintained by the Employees' Retirement System (ERS), please read the following:

1. What is the Uniform Information Practices Act?

The Uniform Information Practices Act (UIPA), Chapter 92F, Hawaii Revised Statutes (HRS), is Hawaii's public records law. Additional information on UIPA can be found on the Office of Information Practices' website: [Basic Q&A on Access to Government Records](#)

2. Are there any ERS records that can be publicly accessed without a records request?

Yes. The ERS' website (ers.hawaii.gov) contains records pertaining to the following:

- a. [Investments Program](#)
- b. [Investments Holdings](#)
- c. [Investments Asset Allocation](#)
- d. [Investments Performance](#)
- e. [ERS Financials](#)

Please note, however, that the website may not contain past records and is updated as information becomes available.

3. How can I access records maintained by the ERS that are not available on the ERS website?

In order to enable the ERS to process a records request, requesters should submit a written request which contains: (a) the requester's email address (or other contact information the ERS can use to correspond and/or contact the requester); (b) a reasonable description of the requested record to enable agency personnel to locate the record with reasonable effort (e.g., record name, subject matter, date, and/or location); and (c) the means by which the requester would like to receive a copy.

For your convenience, we note that the State of Hawaii Office of Information Practices (OIP) developed a form that may be used by the public to request access to a government record. The form is available at <https://oip.hawaii.gov/forms/>. Completed request forms can be emailed to dbf.ers.sss@hawaii.gov or mailed to Employees' Retirement System, 201 Merchant Street, Suite 1400, Honolulu, HI 96813.

4. Are there any records that are exempt from disclosure?

Yes. Certain information or records related to ERS's alternative investments are exempt from disclosure under [HRS § 88-103.5\(c\)](#):

- (1) Private placement memoranda;

- (2) Fund agreements and related documents, including subscription agreements, management agreements, side letters, guarantees, credit facility agreements, participation agreements, and trust documents;
- (3) Confidential presentations or recommendations made to the system;
- (4) Due diligence memoranda and other due diligence materials, including due diligence questionnaires;
- (5) Documents containing information on any portfolio company, real property, or any other assets held by an alternative investment vehicle;
- (6) Financial statements and other documents containing financial information of a fund or its general partner or manager, whether audited or unaudited, including but not limited to statements or information related to:
 - (A) Income statements;
 - (B) Balance sheets;
 - (C) Cash flows;
 - (D) Capital accounts;
 - (E) Investment rate-of-returns, including internal rate of returns and time-weighted rate of returns;
 - (F) Cash or in-kind distributions;
 - (G) Carried interests;
 - (H) Management and other fees; and
 - (I) Return multiples;
- (7) Confidential correspondences between an alternative investment vehicle or its general partner, manager, advisor, or limited partner advisory committee, and the system;
- (8) Capital call and distribution notices;
- (9) Limited partner advisory committee and limited partner meeting notices, minutes, and materials, including without limitation any materials distributed at those meetings;
- (10) Investment management agreements; and
- (11) Placement agent disclosures and similar documents."

In addition, certain records are exempt from disclosure under UIPA, including but not limited to [HRS §92F-13](#).

5. Are there any fees may I be charged to access the requested records?

Yes, the following fees may be charged:

- a. \$2.50 per fifteen minutes or fraction thereof for searching for the record; and
- b. \$5.00 per fifteen minutes or fraction thereof for reviewing and segregating the record.

[See the Quick Guide to OIP’s Administrative Rules](#)

The FAQs provided above are general guidelines and are not inclusive of all information and rules related to the Uniform Information Practices Act. See the Office of Information Practices website for more on the UIPA.