

DEPENDANTS AND NOMINEES FORM

To the Trustees of

.....
Full name of Fund in block capitals

Full name and surname of member (block capitals): _____ Date of Birth: _____

Employer: _____ Branch/Site/Plant Name: _____ Member number: _____

1. According to the *Pension Funds Act*, a member's dependants and persons who are not dependants, but who are nominated by the member, must be considered by the trustees when they decide in what shares of the lump sum benefits must be paid from the fund when a member dies. To help the trustees make their decision please complete sections 3 to 5 below.

Please read the reverse side of this form before filling in the spaces below.

2. Note that nominations made before 30 June 1989 are invalid and need to be redone.

3. DEPENDANTS:

Surname	First names	Gender	Date of birth	Share of benefit %	Relationship	Contact Number	Address

4. NOMINEES:

Surname	First names	Gender	Date of birth	Share of benefit %	Relationship	Contact Number	Address

5. I, the undersigned, recognise that my circumstances and those of the persons shown above as dependants and/or nominees may change. I promise to notify the Trustees of the fund of any changes on my dependants or nominees. I understand this form amounts to an expression of my wishes and is not binding on the trustees whose responsibilities are set out in the *Pension Funds Act*.

Signed: _____ Date: _____

DEPENDANTS AND NOMINEES FORM

DISPOSAL OF LUMP SUM DEATH BENEFITS

(This explanation is not a legal document - the wording of the act is definitive)

According to the *Pension Funds Act*, the fund trustees must use their discretion to make sure the death benefits are fairly to a member's dependants and persons who are not necessarily dependants but who are nominated in writing by the member.

Please list your dependants and any nominees on the other side of this form after you have read the notes below:

- (a) The following categories of persons will be dependants:
 - (i) Persons in the member is legally liable for maintenance (such as children and spouses)
 - (ii) Persons the trustees consider to have been financially dependent upon the member at the time of his or her death (such as partners, parents and siblings)
 - (iii) Persons the member would have become legally liable for maintenance had the member not died (such as an unborn child).
- b. If there are dependants and nominees, the trustees must consider all dependants and allocate a portion of the benefit to one, all or some of the dependants.
- c. If there are no dependants but there are nominees, the benefits (or a portion thereof) shall be paid to the nominee, provided that if the member's estate is insolvent, any debt in the estate shall be set-off against the death benefit and the remainder (if any) of the death benefit shall be paid to the nominees.
- d. If there are both dependants and nominees, the trustees shall consider all such dependants and nominees and then determine the proportion which is to be paid to each dependant and nominee (depending on the extent of the need of different dependants/nominees, a zero allocation may be made).
- e. If there are no dependants, and only to the extent the member has not designated a nominee in writing, any balance remaining shall be paid to the deceased member's estate or, where appropriate, the guardian's fund.
- f. Trustees have the right to pay the benefit to a beneficiary fund for the benefit of minor dependants or nominees.
- g. Payment into a family trust nominated by the member is also permissible.
- h. Lump sums can be paid as instalments over a period of time to dependants or nominees, (Major dependants or major nominees must agree to this in writing and the fund must be able to administer payments in instalments).

NOTES:

- (i) Any income tax, as well as any amounts payable in terms of Section 37A and D of the *Pension Funds Act* (including home loans and court orders) will be taken from lump sum benefits due to dependants or nominees.
- (ii) The fact that a person is classified as a dependant or nominee does not mean that the trustees must award him or her any portion of the benefit from the fund.
- (iii) An institution (such as an old-age home) can be chosen as a nominee.
- (iv) The requirements set out above do not apply to pensions payable to spouses or dependants according to specific provisions of the rules. Such pensions are payable as described in the rules.
- (v) The requirements set out here do not apply to any insurance or life cover provided outside the fund.