



DEPENDANTS AND NOMINEES FORM

To the Trustees of **(name of Fund)** _____

FULL NAME AND SURNAME OF MEMBER (BLOCK CAPITALS) _____ Cell number _____

NAME OF EMPLOYER: _____ Branch/Site/Plant Name: _____ Employee Number: _____

1. In terms of 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 lump sum benefits are to be paid from the Fund on the death of a member. To assist the Trustees in making their decision please complete Sections 3 to 6 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

4. NOMINEES:

Surname	First Names	Gender	Date of Birth	Share of Benefit	Relationship

5. I have elected the following people to act as Guardian of my dependents and the Executor of my Estate.

NAME OF GUARDIAN 1: _____ Contact Number : _____ Postal Address: _____

NAME OF GUARDIAN 2: _____ Contact Number : _____ Postal Address: _____

NAME OF EXECUTOR : _____ Contact Number : _____ Postal Address: _____

6. I, the undersigned, recognize that my circumstances and those of the persons shown above as my dependants and/or nominees may change. I undertake to advise the Trustees of the Fund when any change should be made regarding my dependants or nominees. I understand that 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)

In terms of The Pension Funds Act, a member's dependants and persons who are not dependants but who are nominated in writing by the member (i.e. nominees) must be considered by the Trustees when they decide in what shares lump sum benefits are to be paid on the death of a member of a registered pension or provident fund.

PLEASE LIST YOUR DEPENDANTS AND ANY NOMINEES ON THE OTHER SIDE OF THIS FORM AFTER YOU HAVE READ THE FOLLOWING NOTES:

Briefly, the position is as follows:

- (a) The following categories of persons will be dependants;
 - (i) persons for whose maintenance the member is legally liable;
 - (ii) persons whom the Trustees consider to have been dependant upon the member at the time of his/her death;
 - (iii) the spouse and children (both minor and major) of the member; and
 - (iv) persons for whose maintenance the member would have become legally liable if he or she had not died (for example an unborn child);
- (b) if there are dependants and no nominees, the Trustees must consider all dependants and allocate a portion of the benefits to one, all or some of the dependants;
- (c) if there are no dependants but there are nominees, the benefit (or portion thereof) shall be paid to the nominees. Provided that if the member's estate is insolvent the debt shall be set-off against the benefit and the remainder (if any) shall be paid to the nominees;
- (d) if there are dependants and there are nominees, the Trustees shall consider all such dependants and nominees and then determine the proportion which is to be paid to each dependant and/or each nominee (a proportion of zero may be allocated);
- (e) if there are no dependants, and only to the extent that payment is not due to a nominee in accordance with a written designation, any balance remaining shall be paid to the deceased member's estate or, where appropriate, the Guardian's Fund;
- (f) Trustee have the right to pay the benefit to a trust for the benefit of a dependants and / or nominees;
- (g) Lump sums can be paid in the form of installments over a period of time to dependants or nominees, (agreement in writing must be obtained from major dependants or major nominees).
- (h) The Guardians will normally be people who will look after the dependants in the event that the member has no spouse. Under normal circumstances the surviving spouse will be the Guardian of the dependents.
- (i) The Executor will usually be someone appointed to take responsibility for the estate of the member, ensuring that the members' wishes are fulfilled in terms of distribution allocations.

NOTES:

- (i) any income tax payable, 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 deducted from lump sum benefits due to dependants and 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 (e.g. and 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 in terms of specific provisions of the rules, such pensions are payable as described in the rules;
- (v) the requirements set out above do not apply to any insurance or life cover provided outside the Fund.