

## Beneficiary Nomination Form

### Confidential

Name of fund

Name of employer

Name of member

Identity number                    Employee number

Telephone number (H)  Telephone number (W)  Cellphone number

Who can be contacted in the event of your death?

Name  Contact number  Email address

### Beneficiaries

Please list your dependants and/or nominees hereunder:

	Name (Surname, first names)	Relationship (Spouse, child (uncle, friend etc.))	Identity number	Specify whether dependant or nominee	% of Benefit	Payment (To Dependanted/Nominee or into Trust/Beneficiary Fund)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						

**Note:** If your personal circumstances change (i.e. if you get married or divorced, or if a child is born), or if a nominee listed above dies, or if you want to change your Beneficiary Nomination Form, you must complete a new Beneficiary Form. Your employer will supply you with a new Beneficiary Nomination Form.

**Your Beneficiary Nomination Form must be filed and retained in your personnel file at your employer.**

## Declaration

I declare that this Beneficiary Nomination Form replaces any previous beneficiary nomination that I may have made and will remain in force until cancelled in writing by me.

I understand that this Beneficiary Nomination Form serves as a guideline and that it is in no way binding on the Board of Trustees of the Fund.

I understand that if any of the listed dependants and/or nominees predeceases me, his or her estate or any heir(s) will not be entitled to any claim to the benefits and his or her share shall be divided among any of the listed surviving dependants and/or nominee(s).

\_\_\_\_\_  
Signature

Date 

D	D	M	M	C	C	Y	Y
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\_\_\_\_\_  
Witness

## Notes:

### Important definitions

“dependant”, in relation to a member, means:

- a) a person in respect of whom the member is legally liable for maintenance;
- b) a person in respect of whom the member is not legally liable for maintenance, if such person:
  - i) was, in the opinion of the board, upon the death of the member in fact dependent on the member for maintenance;
  - ii) is the spouse of the member; and/or
  - iii) is a child of the member, including a posthumous child, an adopted child and a child born out of wedlock; or
- c) a person in respect of whom the member would have become legally liable for maintenance, had the member not died.

“**Nominee**” means a person, other than a dependant, designated by a member to receive benefits upon such member’s death. If you therefore have no dependants or if you wish part or all of your lump sum death benefit to be paid to someone other than your dependants, or in addition to your dependants, you can nominate a person as your nominee.

“**Spouse**” means a person who is the permanent life partner or spouse or civil union partner of a member in accordance with the Marriage Act, 1961 (Act 68 of 1961), the Recognition of Customary Marriages Act, 1998 (Act 120 of 1998), or the Civil Union Act, 2006 (Act 17 of 2006), or the tenets of a religion.

### Disposition of the lump sum death benefit

The lump sum death benefit payable from the Fund is paid in terms of the rules of the Fund and the Pension Funds Act, 1956. While the Management Board of the Fund will normally take into account the wishes of the member, they retain the discretion to make payment of death benefits to dependants and/or nominees as they deem equitable. Therefore, the Beneficiary Nomination Form acts only as a guideline to the Management Board of the Fund and they are in no way bound by its provisions.

The Management Board are required by law to do a thorough investigation into your circumstances in order to ensure that your benefits are distributed in accordance with the requirements of the legislation. The Management Board must first establish who your dependants and Nominees are. Thereafter, they must apply their discretion to distribute the benefit in a manner they feel is fair, taking into account the circumstances and relationships of any dependants and/or nominees.

As a result, the actual distribution of your benefit may differ from what you have indicated in this Beneficiary Nomination form.

In summary, the Pension Funds Act provides that on the death of a member, such member’s benefits in the Fund will not form part of the deceased member’s estate, but will be dealt with as follows:

- if the Fund discovers any dependants within 12 (twelve) months of a member’s death, the benefit shall be paid to one or all of the dependants in a manner and proportion deemed equitable by the Management Board;
- if the Fund does not become aware of any dependant within 12 (twelve) months of the member’s death and the member has nominated a beneficiary who was not dependent on the member, the benefit shall be paid to the nominee; provided that where the aggregate debt in the member’s estate exceeds the aggregate assets, the difference shall be paid to the estate from the benefit and the balance shall be paid to the nominee;

- if a member has a dependant and has also nominated another beneficiary to receive a benefit, the Fund must pay the benefit to the dependant(s) and nominee(s) in a proportion deemed equitable by the Management Board; and
- if the Fund does not become aware of any dependant of the member within 12 (twelve) months of the member's death and the member has not nominated any beneficiaries, then the benefit shall be paid into the estate of the member or if there is no estate, into the Guardian's Fund or into an unlimited benefit fund.

There are four possible modes of payment of the lump sum death benefit, namely:

- Directly to the beneficiary, or in the case of a minor beneficiary, to such minor's legal guardian/caregiver: this is the default position and any deviation from direct payment must be justified by the Fund's Management Board.
- To a beneficiary fund: this may only be done if the other payment options are not appropriate.
- To a trust: this may only be done if it has been specifically requested by you or a major beneficiary, or the legal guardian or caregiver of a minor beneficiary, in writing to the Fund's Management Board; if the trust is already in existence at the date of distribution and if the beneficiary is the sole beneficiary of the trust.
- In instalments from the Fund.

### **Protection of Personal Information Act (POPIA) notice**

The information in this document may constitute personal information in terms of POPIA and may include financial information and information pertaining to minor children. The Fund must collect and share the personal information of a member and his/her beneficiaries (dependants and nominees), to assist the board of management of the Fund in the distribution of the benefit payable by the Fund upon the death of the member in terms of section 37C of the Pension Funds Act. The Fund may share the member's personal information and the personal information of the beneficiaries contained herein with other service providers of the Fund, such as the insurer of the death benefits or tracing agents, but only to the extent necessary to fulfil its obligations in terms of the Pension Funds Act. If the information is not readily provided, the Fund may have difficulties to pay death benefits to beneficiaries. The information will be kept confidential and processed in accordance with POPIA and will be held for a period as set out in the Fund's Retention of Records Guide.