



OLD MUTUAL SUPERFUND EMPLOYER NEWSLETTER



September 2019

Message from the Principal Officer

Welcome to the September edition of the **Old Mutual SuperFund Employer Newsletter!**

We trust you found the Employer Governance Library useful in your last edition of the Employer Newsletter. In this edition, we cover the role of the employer during the death claim investigations process. We also consider an employer's request to withhold a member's retirement benefit.

We would like to hear from you: What is it that you would like us to cover in the next edition?



Happy Reading!



Fiona Reynolds

Let's meet the new faces of the Management Board of Old Mutual SuperFund, Protektor Preservation Fund and the Unclaimed Benefits Fund

The Management Board (Trustees) is responsible for the management of Old Mutual SuperFund, Protektor Preservation Fund and the Unclaimed Benefit Fund. Old Mutual in consultation with the Management Board and are obliged to manage the Funds in terms of the Legislation and Rules of the Funds.

In July 2019, we bid a fond farewell to Shirley Mabusela and welcomed Norma Teyise!

Read more, for each Board Member's biography

[read more](#)

Are you aware of your obligations with regard to death claim investigations?

Recent determinations issued by the Pension Funds Adjudicator have placed a spotlight on the investigation of death claims. It is the duty of the Old Mutual SuperFund Management Board (the Board) to investigate and trace all possible dependants in the event of the death of a member. **The Board does however rely on YOU, as participating employer, to assist with the investigation and tracing of dependants. We need you to provide the Board with all information, including information relating to a deceased member's family** and especially his/her dependants, in accordance with your obligations in terms of Rule 15.4(6) of the Fund.

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RULE 15.4 (6)

The PARTICIPATING EMPLOYER must take all reasonable steps to assist the FUND to trace all possible dependants and inform the FUND of all such steps taken.

We have recently had a number of cases where dependants were omitted from the allocation process. Upon investigation, it was found that these dependants had informed the employer and provided their details and claim forms, but this information was not passed on to the administrator of the Fund, which is Old Mutual. The end result was that the Old Mutual SuperFund suffered damages on account of it being held liable for payment of the amounts that should have been allocated and paid to these dependants. This could have been avoided had all the relevant and available information been handed over to the administrator.

The Old Mutual SuperFund Board strives as far as possible not to recoup such damages suffered by the Fund from the employers concerned. However, the Board might well be within its rights to hold such employers responsible for the payment of the damages.

The two case studies below clearly illustrate the important role we all play in the efficient and accurate processing of death claims:

CASE STUDY A:

This case illustrates how promptly submitted requirements/documents to the Fund assisted the deceased's family in the death claims process which resulted in the death claim being paid out after 3 months.

[read more](#)

CASE STUDY B:

This case study revealed how the disregard of submitting death claim requirements/ documents, delayed the entire death claims process and resulted in the payout to the deceased's family only being made after almost 2 years.

[read more](#)

As you can see, we all have an extremely important role to play!

We would therefore like to **stress the importance of you actively assisting the Board with the investigation process. It is critical that you pass on of all information you receive as part of your investigation**, even if you feel that certain information is not important. It is up to the Board to decide if the information is relevant or not.

Your assistance and cooperation in this matter will be greatly appreciated and will no doubt contribute to the good governance and better service of the Fund in the interest of our members.

Employer request to withhold a member's retirement benefit in terms of S37D of the Pension Funds Act

The Fund often receives requests from employers to withhold payment of a benefit due to a member, pending the outcome of legal proceedings.

The Pension Funds Adjudicator has ruled against funds withholding benefits indefinitely or unlawfully and ordered funds to pay the benefit to the employee. In order to avoid this, there are certain non-negotiable requirements that need to be fulfilled in order to withhold the benefit.

The read more button below will take you to the Fund's Practice Note detailing the process to be followed. Should you require further information, please contact your appointed advisor or Old Mutual Corporate Consultant.

[read more](#)

UPDATED: Employer Governance Charter Library

Fund Forms and Member Guides have been updated. To ensure that you are accessing current information, click on the read more button below. This library provides you with all the relevant information regarding your Fund in one single document. ***read more link was distributed via email. For a product specific (Easy, Choice & Customised) version of the Employer Library, please contact your Old Mutual Corporate Client Services Consultant.**



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