DEATH OF A PRINCIPAL PENSIONER

GUIDE: BENEFITS PAID TO DEPENDANTS

TRANSNET SECOND DEFINED BENEFIT FUND

Losing a loved one is a difficult experience, and when a pensioner passes away, it can be overwhelming to understand the rules and documentation required by the Fund. This guide aims to provide you with a step-by-step approach to help you navigate the necessary steps and provide clarity on the applicable rules and required documentation.

DEPARTMENT OF HOME AFFAIRS

You are legally obligated to report the death to your nearest Home Affairs office. According to the Department of Home Affairs a death can be reported to:

- An officer at the department.
- A member of the South African Police Service (SAPS), particularly in areas without a home affairs office.
- A South African embassy or consulate if the death happened outside the country.
- A legally recognised funeral undertaker.

After reporting the death at Home Affairs, they will provide you with the official death certificate. To find your nearest home affairs office, or online information about the Department of Home Affairs.

- Web http://www.home-affairs.gov.za
- Tel 0800 60 11 90
- E-mail csc@dha.gov.za

TSDBF RULES THAT YOU NEED TO KNOW.

The Fund Administrator must be informed of the death of the pensioner as a matter of urgency either by telephone or e-mail. In terms of Rule 21(1) no benefit will be paid to a Spouse or Child unless within 12 months of the date upon which notice of the death of the Pensioner was received in writing by the Fund the benefit has been in writing claimed for him or her.

The Rules define a Spouse as a person who was a party to a Recognised Marriage with a Pensioner.

Recognised Marriage means, in relation to a Pensioner-

(i) a civil marriage or customary marriage or a marriage by religious rites; or

(ii) a union as defined in the Civil Union Act 17 of 2006; or

(iii) cohabitation between a Pensioner and another person which the Board in its discretion has determined to be a Recognised Marriage:

Provided that any relationship referred to in (i) to (iii) which constitutes a Recognised Marriage, should have existed prior to or at the 2006 Rule Amendment Date and continued to exist until the date of death of the Pensioner;

Please note *that the 2006 Rule Amendment Date is 31 March 2007, this means that only marriages on or prior 31 March 2007 will be regarded as recognised marriage in terms of the Rules of the Fund. No Spouse benefit will be paid to a spouse if the marriage was after 31 March 2007.*

Rule 23 (2) states:

In relation to the death of a Pensioner who was a female Pensioner, no benefit is paid to her Dependants if-

(a) such Pensioner had retired before 1 January 1991; and

(b) such member while a member of the Transport Pension Fund elected on or before 1 January 1991 to exclude her Dependants from receiving any benefit upon her death.

To understand this rule it is important to know that a Pensioner is defined as a person who was employed or rendered services to Transnet. In this case a female who was employed by Transnet and who subsequently retired before 1 January 1991. This female was then given an option to reduce her monthly pension and in so doing providing for a Dependant benefit on her death. If she decided not to provide for her Dependants then no spouse or child benefit is payable on her death.

A Dependant in relation to a Pensioner is a spouse and/or child.

The Rules define a child or Children as

- (i) a child born to a Pensioner; or
- (ii) a child who as at the 2006 Rule Amendment Date was a stepchild or adopted child of a Pensioner; and who
  - (i) has survived the Pensioner, and is not more than 18 years of age; or
  - (ii) has survived the Pensioner, and is more than 18 years of age and in respect of whom it has been demonstrated to the satisfaction of the Board that-
    - *(a)* he or she is engaged in full-time tuition at an education institution registered as such with the Department of Education, since the commencement of such full-time tuition prior to 18 years of age, and is not more than 26 years of age; or
    - *(b)* (i) he or she is mentally or physically incapable of supporting him or herself; and
    - (ii) in respect of whom the Board has at intervals not exceeding 5 years exercised its discretion to treat him or her as a qualifying Child for the purposes of these Rules for a period or further period not exceeding 5 years.

Both a Spouse and a Child are regarded as a Dependant.

REPORTING THE DEATH OF A PENSIONER

Reporting the death of a pensioner to the Fund.
Failing to report a pensioner's death to the Fund can have legal ramifications. South African legislation requires beneficiaries to report the death promptly and return any overpaid funds. If beneficiaries intentionally withhold this information or use the overpaid funds improperly, they may face legal action, including civil suits and criminal charges for fraud or theft.

When reporting the death of a pensioner to the Fund, please complete the "Notification of Death" form. (The form is on the Funds website WWW.TSDBF.NET or contact the call centre for the form to be emailed to you.) Your contact details are very important as we may need to contact you when processing the death. The following documentation related to the deceased is required:

1. Certified Copy of Death Certificate
2. Certified Copy of ID/Passport
3. Certified Copy/ies of Divorce Orders and Agreements (if applicable)
4. Police report in the event where the pensioner died of unnatural causes (if applicable)
5. Copy of medical aid Membership Certificate (if applicable)
6. Certified Copy of the deceased's last Will and Testament (if applicable)
7. Copies of previous spouse's Death Certificate/s (if applicable)
8. Copies of child/ren's Death Certificate/s (if applicable)
9. Active Tax Number of deceased

Please note: On the death of the principal pensioner the monthly pension benefit will stop. Only when or if the Board of Trustees of TSDBF approves an application for a Spouse or Child benefit will the monthly pension be paid. It is therefore in your interest to act quickly. Any delays or errors in document submission will result in a longer processing time of your application. If your application lacks the necessary supporting documents and misses a Trustee Meeting, it will be deferred to the next scheduled meeting.

LAST PENSION BENEFIT PAYMENT & OVERPAYMENTS

Rule 23(10) states:

In the event that a benefit is payable to a Pensioner or Beneficiary in the month in which he or she dies but has not been paid before his or her death, the benefit payable in respect of that month will be paid to the estate of the deceased Pensioner or Beneficiary and thereafter there will be no further amount payable in respect of him or her.

If the Fund is not notified or receives delayed notification regarding the death of a pensioner, and if the death is not promptly registered with the Department of Home Affairs, any pension benefit payment made after the month in which the pensioner passed away must be refunded to the Fund.

APPLICATION FOR A BENEFIT

Please note that Rule 21(1) states that "*No benefit will be paid will be paid to a Child or Spouse <u>unless within 12 months</u> of the date upon which notice of the death of the Pensioner was received in writing by the Fund the benefit has been in writing claimed for him or her.*

Download the necessary forms from the Fund's Website www.TSDBF.NET. Complete the form, gather all the compulsory documentation that is require, have everything certified and submit it to deathclaims@TSDBF.NET as soon as possible to avoid the 12-month cut-off.

ROLE OF THE BOARD OF TRUSTEES

The object of the Board of Trustees is to direct, control and oversee the operations of a Fund in accordance with all the applicable laws and the Rules of the Fund.

In pursuing this object, the Trustees must:

- take all reasonable steps to ensure that the interests of members in terms of the Rules of the Fund and the provisions of the Transnet Pension Fund Act,1990 (Act 62 of 1990) are protected at all times.
- act with due care, diligence and good faith.
- avoid conflicts of interest.
- act with impartiality in respect of all members and beneficiaries.

The Board takes its responsibilities very seriously. They have developed a practice note that explains what information and what documents are needed to evaluate whether a spouse or child qualifies for benefits according to the Fund's Rules. The death benefit application forms were designed to include all the prerequisites of the practice note. If you complete the appropriate form and submit all the documents listed on the form, your application will be considered by the Board. The Board will not accept any shortcuts or discussions on the merits of their requirements. If the necessary documents are not submitted, the application will be rejected.

DOCUMENTATION REQUIRED WHEN APPLYING FOR A SPOUSE OR CHILD BENEFIT

Please review the different categories of Spouse and Child/ren listed below. Find the category that describes your situation and fill out the corresponding application form. Make sure to collect and submit all the necessary documentation mentioned in the application forms to the Fund when you submit your application. Please not that all the forms can be found on the Fund's website www.TSDBF.NET/forms

CIVIL LAW SPOUSE		
○	Completed Application Form "Civil Marriage Application for a Spouse Pension"	
○	Please provide all the documents as requested in the application	

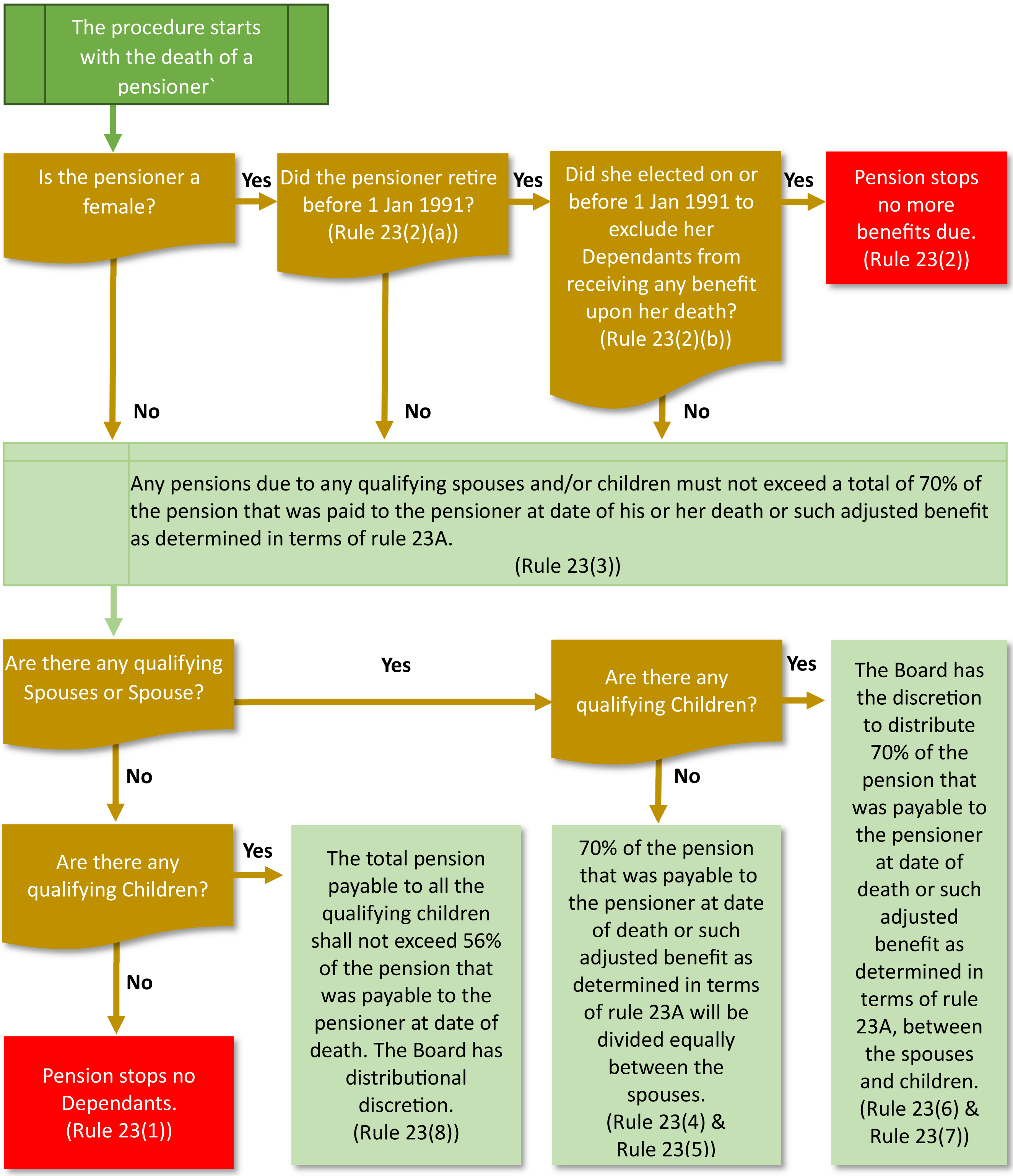
CUSTOMARY LAW SPOUSE/S		
○	Completed Application Form "Customary Law Marriage: Application for a Spouse Pension"	
○	Please provide all the documents and affidavits as requested in the application	

CO-HABITING PARTNER/S / LIFE PARTNER/S		
○	Completed Application Form and Questionnaire "Co-Habiting Partners Application for a Spouse Pension"	
○	Please provide all the documents and affidavits as requested in the application	

1. MINOR CHILDREN (INCLUDES STEP-CHILDREN & LEGALLY ADOPTED CHILDREN) **2. DISABLED MAJOR CHILDREN (INCLUDES STEP-CHILDREN & LEGALLY ADOPTED CHILDREN)** **3. MAJOR CHILDREN (INCLUDES STEP-CHILDREN & LEGALLY ADOPTED CHILDREN) UNDER AGE 26 IN FULL-TIME STUDY**		
○	Completed Application Form by parent or guardian "Application for a Child Pension"	
○	Please provide all the correct documents as requested in the application for the three different categories of Child.	

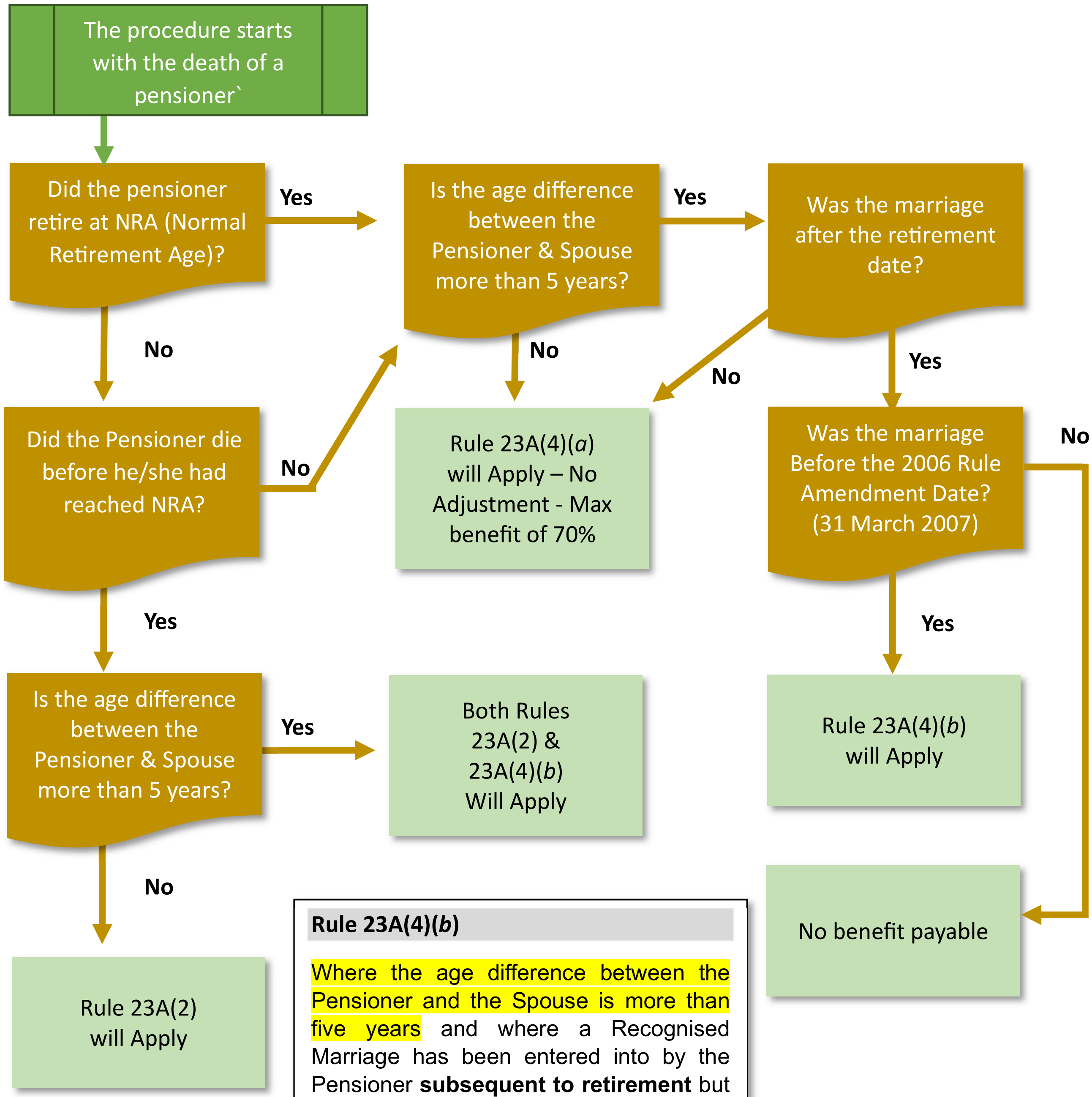
Please send all your documentation to: deathclaims@TSDBF.Net
Contact our call centre should you need any help.

BENEFITS PAID TO A QUALIFYING SPOUSE AND CHILD IN TERMS OF RULE 23



ADJUSTED SPOUSE BENEFIT

While Rule 23 determines the maximum benefits payable to a Spouse or Child, Rule 23A makes provision for an adjustment to the Spouse benefit in certain circumstances. The diagram below helps you to understand which Rule/s applies.



Rule 23A(4)(*b*)

Where the age difference between the Pensioner and the Spouse is more than five years and where a Recognised Marriage has been entered into by the Pensioner **subsequent to retirement** but before the 2006 Rule Amendment Date, the benefit as determined in subrules (1) or (2), as the case may be, is adjusted by multiplying the benefit by a factor that is arrived at by dividing the age of the Spouse by that of the Pensioner, as at the date of death of the Pensioner, provided that the benefit shall not exceed the benefit as determined in sub rules (1) and (2).

TRANSNET SECOND DEFINED BENEFIT FUND

Contact Details

Belmont Office Park, Twist Street, Bellville 7530
PO Box 4300, Tyger Valley 7536

Call Centre:	**021 943 5310**
Share Call:	**087 330 1295**
e-mail:	deathclaims@TSDBF.NET
	info@TSDBF.NET
website:	www.TSDBF.NET
WhatsApp:	**076 796 2826** (from 08h00 to 16h00)
USSD:	***120*559#**