

DEATH CLAIM CHECKLIST

NOTES:

Section 37C of the Pension Funds Act No.24 of 1956 sets out the requirements regarding payment of any benefit by a Fund upon the death of a member.

In terms of the Act, Trustees have a duty to ensure that the benefits are distributed fairly to dependants and nominees and to ensure that those financially dependant on the deceased are adequately provided for, before making any distribution to nominees.

The employer's recommendation must take into account the deceased member's expressed wishes as contained in the 'Beneficiary Nomination' form but fully understanding that such wishes are in no way binding on the Trustees who are bound to apply their minds to the matter before resolving how and to whom the benefit must be distributed. In applying their minds, the Trustees need to appreciate the legislated definition of a dependant, as follows:

1. a person for whom the member is legally liable for maintenance;
2. a person for whom the member is not legally liable for maintenance, if such person
 - 2.1 was, in the opinion of the Trustees, dependant on the deceased member for maintenance;
 - 2.2 is the spouse of a member (includes customary union);
 - 2.3 is the child of a member, including a posthumous child, an adopted child and an illegitimate child.

The employer must take cognisance of the obligations of the Trustees as set out above when making a recommendation.

Where there are no dependants, and the member designated in writing to the fund a nominee who is not a dependant of the member, to receive the benefit, the benefit will be paid to the nominee provided that where the aggregate of the amount of debts in the estate of the member exceeds the aggregate amount of assets in the estate, the shortfall will be paid before the nominee is paid.

CHECKLIST

ACTION AND DOCUMENTATION	COMPLETED
Notify Acravest of death as soon as you have been informed.	
Complete 'Notification of Death' form.	
Complete 'Form D'.	
Attach latest 'Beneficiary Nomination' form and copy of the deceased's will, if available.	
Attach 'Employer Recommendation' form and any additional information/documentation which will assist the Trustees in their decision when beneficiary form is not available.	
Attach originally certified copies of the death certificate (only computerized BI-5 is acceptable).	
Attach originally certified copies of the deceased member's identity document.	
Attach copy of the deceased member's last payslip (indicating weekly/monthly rate of pay).	
Attach originally certified copy of marriage certificate/customary union certificate (if deceased was married).	
Attach originally certified copy of spouse's identity document (if deceased was married).	
Attach originally certified copy of decree or divorce (if applicable).	
Attach originally certified copies of proof of identity for the deceased member's children (if any). This must preferably be in the form of an identity document, printed Home Affairs birth certificate.	
Attach originally certified copies of identity document of any other beneficiaries who were listed on the 'Beneficiary Nomination' form or who believe they are entitled to receive a benefit, e.g. a mother of a child of the deceased to whom he was not married; a sibling (brother or sister) of the deceased; or a parent of the deceased.	
Attach originally certified copies of appointed guardian of the minor child/children, if not natural parent by the Children's Court (this can be arranged by the guardian's local social welfare department and is a free service).	
Attach banking details, postal and residential addresses of all beneficiaries as well as proof of nominated bank accounts for all beneficiaries.	
Attach originally certified copies of the 'Notification/Register of Death/Stillbirth' form.	
In the case of an unnatural death, please attach a police or traffic report or a copy of the post mortem.	
Affidavit describing the relationship to the deceased and stating the level of dependency on the deceased. In the case of a minor we need an affidavit from the parent or guardian.	