



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 430

Pretoria, 6 April 2001

No. 22210



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CONTENTS

No.		Page No.	Gazette No.
GOVERNMENT NOTICES			
Finance, Department of			
<i>Government Notices</i>			
337	Pension Funds Act (24/1956): Financial Services Board: Amendments to the Regulations	13	22210
338	do.: Rate of interest in respect of interest payable on certain amounts and values ..	19	22210
BOARD NOTICES			
72	Pension Funds Act (24/1956): Financial Services Board: Conditions of exemption of pension funds from provisions of section 28 (6) and (7)	21	22210
73	do.: do.: Conditions of authorization of liquidators to make payments to members and beneficiaries before submission of final accounts and reports	23	22210
74	do.: do.: Services for which remuneration shall be payable to liquidators of pension funds, and tariffs	25	22210

INHOUD

No.		Bladsy No.	Koerant No.
GOEWERMENTSKENNISGEWINGS			
Finansies, Departement van			
<i>Goewermentskennisgewings</i>			
337	Wet op Pensioenfondse (24/1956): Raad op Finansiële Dienste: Wysigings aan die Regulasies	11	22210
338	do.: Rentekoers ten opsigte van rente betaalbaar op sekere bedrae en waardes	20	22210
RAADSKENNISGEWINGS			
72	Wet op Pensioenfondse (24/1956): Voorwaardes van vrystelling van pensioenfondse van bepalinge van artikel 28 (6) en (7)	22	22210
73	do.: do.: Voorwaardes van magtigings aan likwidadeurs om betalings aan lede en begunstigdes te doen voor voorlegging van finale rekenings en verslae	24	22210
73	do.: do.: Dienste waarvoor vergoeding betaalbaar is aan likwidadeurs van pensioenfondse, en tariewe	28	22210

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES

No. 337

6 April 2001

FINANCIAL SERVICES BOARD

AMENDMENTS TO THE REGULATIONS UNDER THE PENSION FUNDS ACT, 1956 (ACT NO. 24 OF 1956)

The Minister of Finance has under section 36 of the Pension Funds Act, 1956 (Act No. 24 of 1956), made the regulations set out in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R98 of 26 January 1962, as amended by Government Notices Nos. R99 of 26 January 1962, R.2144 of 28 September 1984, R.1790 of 16 August 1985, R.1037 of 28 May 1986, R.232 of 6 February 1987, R.1452 of 7 July 1989, R.1920 of 1 September 1989, R.2361 of 27 September 1991, R.201 of 12 February 1993, R.2324 of 10 December 1993, R.141 of 28 January 1994, R.1838 of 24 November 1995, R.1677 of 18 October 1996, R.1154 of 11 September 1998, R.1218 of 25 September 1998, R.1644 of 18 December 1998, R.853 of 9 July 1999 and R. 896 of 8 September 2000.

Addition of regulation 33 to Regulations

2. The following regulation is hereby added to the Regulations:

“Requirements in terms of section 13A of Act

33.(1) Minimum information to be furnished by every employer to the fund with regard to payments of contributions in terms of section 13A(2) of the Act, shall consist of at least the following:

(a) Initial Contribution Statement:

- (i) Name of the fund; identification of the fund (e.g. registration number); period in respect of which the contribution is payable;
- (ii) name and address of the employer or pay-point which made the deduction; responsible person to contact at the employer or pay-point;
- (iii) full name, date of birth, ID number or employer pay number, or other means of identification, date of membership, pensionable emoluments of member and percentage or amount of contributions, split between member and employer as well as an indication of any additional voluntary contributions paid.

(b) Subsequent Contribution Statement:

In respect of each contribution period either:

- (i) the information required in paragraph (a)(i) and (ii) above and part or all of the information contained in paragraph (a)(iii) above; or
- (ii) a reconciliation with the contribution statement for the previous period showing any differences in the data such as additions as a result of new members, reductions as a result of membership terminations, adjustments as a result of changes in pensionable emoluments or the payment of additional voluntary contributions or other information and corrections due to error.

(2) The person -

- (a) responsible for checking the receipt of electronic transfers into the fund's bank account indicated in section 13A(3)(a)(i) of the Act; or
- (b) responsible for receiving contributions in terms of section 13A(3)(a)(ii); or
- (c) authorized by the insurer to account for contributions received by funds envisaged in section 13A(3)(a)(iii),

shall report:

- (i) not later than a further fifteen days of the end of the period set out in section 13A(2)(b) to the principal officer or authorized person (as the case may be) (in these regulations referred to as the monitoring person) mentioned in section 13A(6) of the Act -

- (aa) whether any of the matters previously reported on were not resolved;
 - (bb) if the data envisaged in section 13A(2)(a) of the Act was not transmitted as prescribed in section 13A(2)(b); or
 - (cc) where the payment made in terms of section 13A(3)(a) and the data envisaged in subregulation (1) above cannot be reconciled with each other, other than where a discrepancy is less than 2,5% of the total contribution payable for the relevant period, in which event such discrepancy shall be deemed not to constitute a contravention of this regulation; and
 - (ii) within a further fifteen days of the end of the period set out in section 13A(3)(a) to the monitoring person indicated in section 13A(6) if the contributions payable in terms of section 13A(1) have not been received as provided in section 13A(3)(a): Provided that a discrepancy as envisaged in subparagraph (i)(cc) above shall not be regarded as a failure to pay contributions for the purposes of this regulation.
- (3) The monitoring person indicated in section 13A(6) of the Act shall then in writing report the said failure to comply with the provisions of subsections (2)(b) and (3)(a) of section 13A to the board within 7 days after receipt of the report mentioned in subregulation (2) above.

- (4) The board of the fund may, for reasons acceptable to it other than the failure to pay contributions in terms of section 13A(3)(a) of the Act, delay any action until the report of the following month has been received: Provided that where no acceptable reasons were furnished or there was a failure to pay contributions in terms of section 13A(3)(a), the board shall ensure that -
- (a) the monitoring person indicated in section 13A(6) of the Act brings the infringement of section 13A(2)(b) or section 13A(3)(a) to the attention of the members of the fund in respect of whom the contributions are payable; and
 - (b) the registrar is advised of the action taken,
- within such period and in such manner as determined by the board.
- (5) If any failure to transmit contributions referred to in section 13A(1) of the Act in the manner prescribed in section 13A(3), continues for 90 days the monitoring person indicated in section 13A(6), shall report the matter in detail within 14 days of the expiration of such 90 days period to the Attorney General and inform the registrar accordingly.
- (6) The registrar may, at his discretion, inform the Commissioner for South African Revenue Services of any failure to comply with section 13A of the Act for whatever action the Commissioner for South African Revenue Services deems necessary to take against the participating employers and/or the board of the fund.

- (7) Compound interest on late payments or unpaid amounts and values shall be calculated for the period from the first day of the month following the expiration of the period in respect of which the relevant amounts or values are payable or transferable until the date of receipt by the fund at the rate prescribed from time to time by the Minister under section 13A(7) of the Act by notice in the *Gazette*. Such interest shall constitute investment income for the fund and shall be payable to the fund by no later than the end of the second month following the month in respect of which the amount is received or the value transferred, as the case may be.
- (8) The initial contribution statement shall be furnished by not later than 90 days after the commencement of these regulations indicated in paragraph 4(1) in respect of each fund established on or before 31 August 2001, and within fifteen days of the end of the period for which the first contribution is payable for every fund established thereafter. A subsequent contribution statement shall be furnished within fifteen days after the end of the month in respect of which the contribution is payable.”.

Addition of Annexure D to Schedule K of Regulations

3. The following annexure is hereby added to Schedule K of the Regulations:

"ANNEXURE D

..... Fund (in liquidation) Reference No : 12/8/.....

Commissioner of Inland Revenue reference no.....

Number of members

Active

.....

Pensioners

- Current

.....

- Deferred

.....

Dependants and nominees in
receipt of regular payments

.....

TOTAL

1. The number of members (including pensioners) at the date of termination of the fund
2. Highest number of members (including pensioners) during the 12 months preceding the date of termination

.....

.....

3. The reason(-s) for the difference in 1 and 2 above:

.....

.....

.....

Note : Submit in duplicate on a separate page only with the Final Liquidation Accounts.”.

Commencement of these regulations

4. (1) Subject to subregulation (2), these regulations shall come into operation 90 days after publication.
- (2) The provisions of regulation 33(7), as added by regulation 2 of these regulations, shall come into operation 120 days after commencement.

RAAD OP FINANSIËLE DIENSTE

WYSIGINGS AAN DIE REGULASIES KRAGTENS DIE WET OP PENSIOENFONDSE, 1956 (WET NO 24 VAN 1956)

Die Minister van Finansies het kragtens artikel 36 van die Wet op Pensioenfondse, 1956 (Wet No 24 van 1956) die regulasies in die Bylae uitgevaardig.

BYLAE

Omskrywing

1. In hierdie regulasies beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennisgewing No. R98 van 26 Januarie 1962, soos gewysig by Goewermenskennisgewings Nos. R99 van 26 Januarie 1962, R.2144 van 28 September 1984, R.1790 van 16 Augustus 1985, R.1037 van 28 Mei 1986, R.232 van 6 Februarie 1987, R.1452 van 7 Julie 1989, R.1920 van 1 September 1989, R.2361 van 27 September 1991, R.201 van 12 Februarie 1993, R.2324 van 10 Desember 1993, R.141 van 28 Januarie 1994, R.1838 van 24 November 1995, R.1677 van 18 Oktober 1996, R.1154 van 11 September 1998, R.1218 van 25 September 1998, R.1644 van 18 Desember 1998, R.853 van 9 Julie 1999 en R. 896 van 8 September 2000.

Byvoeging van regulasie 33 by Regulasies

2. Die volgende regulasie word hierby by die Regulasies gevoeg:

“Vereistes ingevolge artikel 13A van Wet

33.(1) Die minimum inligting wat deur elke werkgewer aan die fonds verstrekk moet word ingevolge artikel 13A(2) van die Wet met betrekking tot betaling van bydraes, moet minstens bestaan uit die volgende:

(a) Aanvanklike Bydraestaat:

- (i) Naam van die fonds; identifikasie van die fonds (bv. registrasienommer); tydperk ten opsigte waarvan die bydrae betaalbaar is;
- (ii) naam en adres van die werkgewer of betaalpunt wat die aftrekking gedoen het; verantwoordelike persoon om by die werkgewer of betaalpunt te skakel;
- (iii) volle naam, geboortedatum, ID-nommer of werkgewer-betaalnommer, of ander metode van identifikasie, datum van lidmaatskap, pensioendraende vergoeding van lid en persentasie of bedrag van bydraes, verdeling tussen lid en werkgewer sowel as aanduiding van enige bykomstige vrywillige bydraes betaal.

(b) Daaropvolgende Bydraestaat:

Ten opsigte van elke bydrae-tydperk òf:

(i) die inligting vereis in paragraaf (a)(i) en (ii) hierbo en gedeeltelik of in die geheel die inligting vereis in paragraaf (a)(iii) hierbo; of

(ii) 'n rekonsillasie met die bydraestaat vir die voorgaande tydperk wat verskille in die data aandui soos byvoegings as gevolg van nuwe lede, verminderings as gevolg van lidmaatskap-beëindigings, verstellings as gevolg van veranderinge in pensioendraende besoldiging of die betaling van bykomstige vrywillige bydraes of ander inligting en regstellings as gevolg van foute.

(2) Die persoon -

(a) wie verantwoordelik is vir kontrole oor die ontvangs van elektroniese oordragte na die fonds se bankrekening vermeld in artikel 13A(3)(a)(i) van die Wet; of

(b) wie verantwoordelik is vir die ontvangs van bydraes ingevolge artikel 13A(3)(a)(ii); of

(c) wie gemagtig is deur die versekeraar om rekening te hou van bydraes ontvang deur fondse beoog in artikel 13A(3)(a)(iii),

moet verslag doen -

(i) nie later nie as binne 'n verdere vyftien dae na die einde van die periode vermeld in artikel 13A(2)(b) aan die hoofbeampte of

gemagtigde persoon (na gelang van die geval) (in hierdie regulasies die moniterende persoon genoem) vermeld in artikel 13A(6) van die Wet -

- (aa) of enige aangeleenthere waarvoor voorheen verslag gedoen is, nie opgelos is nie;
 - (bb) indien die inligting beoog in artikel 13A(2)(a) van die Wet nie verstrek is nie soos voorgeskryf in artikel 13A(2)(b); of
 - (cc) waar die betaling gedoen ingevolge artikel 13A(3)(a) en die inligting beoog in subregulasie (1) hierbo nie met mekaar gerekonsilieer kan word nie, behalwe waar 'n afwyking minder as 2,5% van die totale bydraes betaalbaar vir die betrokke tydperk is, in welke geval so'n afwyking nie geag sal word 'n oortreding van hierdie regulasie te wees nie; en
- (ii) binne 'n verdere vyftien dae na die einde van die tydperk vermeld in artikel 13A(3)(a) aan die moniterende persoon vermeld in artikel 13A(6) indien die bydraes betaalbaar ingevolge artikel 13A(1) nie ontvang is nie soos bepaal in artikel 13A(3)(a): Met dien verstande dat 'n afwyking beoog in subparagraaf (i)(cc) hierbo nie geag sal word 'n versuim te wees om bydraes te betaal vir die doeleindes van hierdie regulasie nie.
- (3) Die moniterende persoon vermeld in artikel 13A(6) van die Wet moet daarna die genoemde versuim om te voldoen aan die bepalings van

subartikels (2)(b) and (3)(a) van artikel 13A skriftelik aan die raad rapporteer binne 7 dae van ontvangs van die verslag vermeld in subregulasie (2) hierbo.

- (4) Die raad van die fonds kan, om ander redes vir die raad aanvaarbaar as die versuim om bydraes oor te betaal ingevolge artikel 13A(3)(a) van die Wet, enige optrede vertraag totdat die verslag vir die volgende maand ontvang is: Met dien verstande dat waar geen aanvaarbare redes verstrekkend is nie of daar 'n versuim was om bydraes te betaal ingevolge artikel 13A(3)(a), die raad moet verseker dat -
 - (a) die moniterende persoon vermeld in artikel 13A(6) van die Wet die oortreding van artikel 13A(2)(b) of artikel 13A(3)(a) onder die aandag bring van die lede van die fonds ten opsigte van wie bydraes betaalbaar was; en
 - (b) die registrateur geadviseer is oor die optrede gedoen,binne die tydperk en op die wyse bepaal deur die raad.
- (5) As die versuim om bydraes bedoel in artikel 13A(1) van die Wet op die wyse voorgeskryf in artikel 13A(3) deur te stuur voortduur vir 90 dae, moet die moniterende persoon vermeld in artikel 13A(6), die aangeleentheid in besonderhede binne 14 dae van die verstryking van sodanige tydperk van 90 dae rapporteer aan die Prokureur-generaal, en die registrateur dienooreenkomstig inlig.

- (6) Die registrateur kan, in sy diskresie, die Kommissaris van die Suid-Afrikaanse Inkomstediens in kennis stel van enige versuim om te voldoen aan artikel 13A van die Wet, vir welke stappe ook al wat die Kommissaris van die Suid-Afrikaanse Inkomstediens nodig mag ag om te doen teen die deelnemende werkgewers en/of die raad van die fonds.
- (7) Samegestelde rente op laat betalings en onbetaalde bedrae en waardes moet bereken word vir die tydperk vanaf die eerste dag van die maand wat volg op die verstryking van die tydperk waarvolgens die betrokke bedrae of waardes betaalbaar of oorgedra moes wees tot die datum van ontvangs deur die fonds is teen die koers van tyd tot tyd deur die Minister kragtens artikel 13A(7) van die Wet by kennisgewing in die *Staatskoerant* voorgeskryf. Sodanige rente behels beleggingsinkomste vir die fonds en is betaalbaar aan die fonds nie later nie as die einde van die tweede maand volgende op die maand ten opsigte waarvan die bedrag ontvang of waarde oorgedra is, na gelang van die geval.
- (8) Die aanvanklike bydraestaat moet verstrek word nie later as 90 dae na die aanvang van hierdie regulasies soos agetoon in paragraaf 4(1) ten opsigte van elke fonds gestig op of voor 31 Augustus 2001, en binne vyftien dae van die einde van die tydperk waarvoor die eerste bydrae betaalbaar is vir elke fonds gestig daarna. 'n Daaropvolgende bydraestaat moet verstrek word binne vyftien dae na die einde van die maand ten opsigte waarvan die bydrae betaalbaar is."

Byvoeging van Aanhangsel D by Bylae K van Regulasies

3. Die volgende aanhangsel word hierby by Bylae K van die Regulasies gevoeg:

“AANHANGSEL D

.....Fonds (in likwidasie)

Verwysingsno: 12/8/.....

Kommissaris van Binnelandse Inkomste Verwysingsno

Getal lede

Aktief

.....

Pensioentrekkers

- Lopend

.....

- Uitgestel

.....

Afhanklikes en genomineerdes

in ontvangs van gereelde betalings

.....

TOTAAL

1. Die getal lede (insluitend pensioentrekkers) op die datum van beëindiging van die fonds
2. Hoogste getal lede (insluitend pensioentrekkers) gedurende die 12 maande wat die datum van beëindiging voorafgaan
3. Die rede(-s) vir die verskil tussen 1 en 2 hierbo:

.....

.....

.....

Aantekening: Dien in op 'n afsonderlike blad slegs met die Finale Likwidasierekeninge.”.

Inwerkingtreding van hierdie regulasies

4. (1) Behoudens subregulasie (2), tree hierdie regulasies in werking 90 dae na publikasie.

(2) Die bepalings van regulasie 33(7), soos bygevoeg by regulasie 2 van hierdie regulasies, tree in werking 120 dae na aanvang.

No. 338

6 April 2001

SECTION 13A(7) OF PENSION FUNDS ACT, 1956 (ACT NO 24 OF 1956)**RATE OF INTEREST IN RESPECT OF INTEREST PAYABLE ON CERTAIN AMOUNTS AND VALUES**

I, Trevor Andrew Manuel, Minister of Finance, hereby prescribe under section 13A(7) of the Pension Funds Act, 1956 (Act No 24 of 1956), that the rate against which interest is payable on the unpaid amounts and values mentioned in the said section, shall be the same as the maximum annual finance charge rate which on the date on which the amounts and values became claimable, applies in accordance with section 2(1) of the Usury Act, 1968 (Act No 73 of 1968), by virtue of a determination under the lastmentioned section for the purposes of the lastmentioned Act.

TA MANUEL**Minister of Finance**

No. 338

6 April 2001

**ARTIKEL 13A(7) VAN WET OP PENSIOENFONDSE, 1956
(WET NO 24 VAN 1956)**

RENTEKOERS TEN OPSIGTE VAN RENTE BETAALBAAR OP SEKERE BEDRAE EN WAARDES

Ek, Trevor Andrew Manuel, Minister van Finansies, skryf hierby kragtens artikel 13A(7) van die Wet op Pensioenfondse, 1956 (Wet No 24 van 1956), voor dat die koers waarteen rente betaalbaar is op die onbetaalde bedrae en waardes vermeld in genoemde artikel, dieselfde is as die maksimum finansieringskoestekoers per jaar wat op die datum waarop die bedrae en waardes opeisbaar geword het, ooreenkomstig artikel 2(1) van die Woekerwet, 1968 (Wet No 73 van 1968), van toepassing is uit hoofde van 'n bepaling kragtens laasgenoemde artikel vir die doeleindes van laasgenoemde Wet.

TA MANUEL

Minister van Finansies

BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 72 OF 2001 FINANCIAL SERVICES BOARD

SECTION 28(7A) OF THE PENSION FUNDS ACT, 1956

CONDITIONS OF EXEMPTION OF PENSION FUNDS FROM PROVISIONS OF SECTION 28(6) AND (7)

The Registrar of Pension Funds, hereby determine under section 28(7A) of die Pension Funds Act, 1956 (Act No 24 of 1956), subject to the provisions of the said section, the following conditions of exemption -

The Registrar must, before exempting a fund, have regard to -

- (a) the number of members and beneficiaries in the fund;
- (b) the size of the assets of the fund;
- (c) the probable cost of publishing accounts relative to the financial resources of the fund as shown in the preliminary accounts submitted in terms of section 28 (4) and (5); and
- (d) the steps taken by the liquidator to notify members and interested parties, as far as they can be reasonably ascertained, of the contents of the said preliminary accounts and to ascertain whether there are any objections to distribution on the basis of such accounts.

This board notice comes into operation 90 days after publication.

J VAN ROOYEN

Registrar of Pension Funds

RAADSKENNISGEWING 72 VAN 2001**RAAD OP FINANSIËLE DIENSTE****ARTIKEL 28 (7A), VAN DIE WET OP PENSIOENFONDSE, 1956****VOORWAARDES VAN VRYSTELLING VAN PENSIOENFONDSE VAN
BEPALINGS VAN ARTIKEL 28(6) EN (7)**

Die Registrateur van Pensioenfondse, bepaal hierby kragtens artikel 28(7A) van die Wet op Pensioenfondse, 1956 (Wet No 24 van 1956), behoudens die bepalings van die genoemde artikel, die volgende voorwaardes van vrystelling -

Die Registrateur moet, voor die vrystelling van 'n fonds, die volgende in ag neem:

- (a) die getal lede en begunstigdes van die fonds;
- (b) die omvang van die bates van die fonds;
- (c) die waarskynlike koste van die publiserings van die rekeninge met betrekking tot die geldelike bronne van die fonds soos aangetoon in die voorlopige rekeninge voorgelê ingevolge artikel 28 (4) en (5); en
- (d) die stappe gedoen deur die likwidateur om lede en belanghebbende partye in kennis te stel, na gelang hul rederlikerwys vasstelbaar is, van die inhoud van genoemde voorlopige rekeninge en om te bepaal of daar enige besware teen verdeling op die grondslag van sodanige rekeninge is.

Hierdie raadskennisgewing tree in werking 90 dae na publikasie.

J VAN ROOYEN

Registrateur van Pensioenfondse

BOARD NOTICE 73 OF 2001**FINANCIAL SERVICES BOARD****SECTION 28 (12A) OF THE PENSION FUNDS ACT, 1956****CONDITIONS OF AUTHORIZATION OF LIQUIDATORS TO MAKE PAYMENTS
TO MEMBERS AND BENEFICIARIES BEFORE SUBMISSION OF FINAL
ACCOUNTS AND REPORTS**

The Registrar of Pension Funds, hereby prescribe under section 28(12A) of die Pension Funds Act, 1956 (Act No 24 of 1956), that the conditions whereon liquidators may be authorized to make payments of any amounts to members and beneficiaries of a fund before submission of final accounts and reports, shall be the following:

1. The preliminary accounts and report (if any) specified in subsection (4) and (5) of section 28 of the Act, or any other information acceptable to the registrar, must have been furnished to the registrar; and
2. the payment to be made to the member of the fund or his or her beneficiary(-ies) concerned must not exceed the lesser of the member's own contributions to the fund, or 50% of the liquidation benefit, or such other amount as the registrar deems appropriate having regard to the said preliminary accounts or information.

This board comes into operation 90 days after publication.

J VAN ROOYEN

Registrar of Pension Funds

RAADSKENNISGEWING 73 VAN 2001**RAAD OP FINANSIËLE DIENSTE****ARTIKEL 28 (12A) VAN DIE WET OP PENSIOENFONDSE, 1956****VOORWAARDES VAN MAGTIGINGS AAN LIKWIDATEURS OM BETALINGS
AAN LEDE EN BEGUNSTIGDES TE DOEN VOOR VOORLEGGING VAN FINALE
REKENINGS EN VERSLAE**

Die Registrateur van Pensioenfondse, skryf hierby kragtens artikel 28(12A) van die Wet op Pensioenfondse, 1956 (Wet No 24 van 1956), voor dat die voorwaardes waarop likwidauteurs gemagtig kan word om betalings van enige bedrae aan die lede en begunstigdes van 'n fonds te doen voor die voorlegging van finale rekenings en verslae, die volgende is:

1. Die voorlopige rekeninge en verslag (as daar is) gespesifiseer in subartikels (4) en (5) van artikel 28 van die Wet, of enige ander inligting aanvaarbaar vir die registrateur, moet aan die registrateur verstrek wees; en
2. die betaling gedoen te word aan die lid van die fonds of sy of haar betrokke begunstigde(-s) moet nie die minste van die lid se eie bydraes aan die fonds, of 50% van die likwidasiëvoordeel, of die ander bedrag wat die registrateur toereikend ag met inagneming van die genoemde voorlopige verslae of inligting, oorskry nie.

Hierdie raadskennisgewing, tree in werking 90 dae na publikasie.

J VAN ROOYEN

Registrateur van Pensioenfondse

BOARD NOTICE 74 OF 2001**FINANCIAL SERVICES BOARD****SECTION 28A(1) OF THE PENSION FUNDS ACT, 1956****SERVICES FOR WHICH REMUNERATION SHALL BE PAYABLE TO LIQUIDATORS OF PENSION
FUNDS,
AND TARIFFS**

The Registrar of Pension Funds, hereby determine under section 28A(1), subject to section 28A(2), of the Pension Funds Act, 1956 (Act No 24 of 1956), the services for which remuneration is payable to the liquidator of a fund which is terminated or dissolved voluntarily, whether wholly or in part, and hereby so prescribe the tariff of remuneration in respect of those services, as set out in the Annexure A hereto.

This board notice comes into operation 90 days after publication.

J VAN ROOYEN

Registrar of Pension Funds

ANNEXURE A**SERVICES FOR WHICH REMUNERATION IS PAYABLE TO LIQUIDATORS OF PENSION FUNDS,
AND TARIFFS****SECTION 28A(1) OF THE PENSION FUNDS ACT, 1956****1. Basic services and tariff of remuneration of liquidator:**

On rent, interest, arrear contributions or other income	10%
On gross proceeds of immovable property, shares or similar securities sold or mortgage bonds recovered	1%
On the realisation of all other investments	0.5%
Per member	R15
Per member in redrafting accounts on instructions.....	R20
Minimum fee	R2 500

2. The liquidator's remuneration is an all inclusive fee, based on the proceeds of the assets of a fund for services rendered in realising those assets, drawing up the liquidation accounts and distributing the proceeds to the members and other beneficiaries. All costs incurred in connection with these services will form part of the liquidator's remuneration, unless the registrar, on application by the liquidator, agrees otherwise.

3. The liquidator may use the services of an actuary to assist in the calculation of benefits for the preparation of the distribution schedule and this will be a specific expense item against "other" under the "Provision for Liquidation" in Annexure B of Schedule K to the Regulations promulgated under section 36 of the Pension Funds Act, 1956 (Act No 24 of 1956).

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4. The liquidator may obtain legal advice on any question of law affecting the liquidation of the fund. Such cost will not form part of the liquidator's remuneration and must be shown separately same as the fees paid to the actuary in paragraph 3 above.
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RAADSKENNISGEWING 74 VAN 2001**RAAD OP FINANSIËLE DIENSTE****ARTIKEL 28A(1) VAN DIE WET OP PENSIOENFONDSE, 1956****DIENTE WAARVOOR VERGOEDING BETAALBAAR IS AAN LIKWIDATEURS VAN
PENSIOENFONDSE,
EN TARIWE**

Die Registrateur van Pensioenfondse, bepaal hierby kragtens artikel 28A(1), behoudens artikel 28A(2), van die Wet op Pensioenfondse, 1956 (Wet No 24 van 1956), die diensle waarvoor vergoeding betaalbaar is aan die likwidateur van 'n pensioenfonds wat vrywillig beëindig of ontbind word, hetsy in die geheel of gedeeltelik, en skryf aldus hierby die tarief van vergoeding ten opsigte van daardie diensle voor, soos uiteengesit in Bylae A hierby.

Hierdie raadskennisgewing, tree in werking 90 dae na publikasie.

J VAN ROOYEN

Registrateur van Pensioenfondse

BYLAE A**DIENTE WAARVOOR VERGOEDING BETAALBAAR IS AAN LIKWIDATEURS VAN****PENSIOENFONDSE,****EN TARIEWE****(ARTIKEL 28A(1) VAN DIE WET OP PENSIOENFONDSE, 1956)****1. Basiese dienste en tarief van vergoeding van likwidateur:**

Op huurgeld, rente, agterstallige bydraes of ander inkomste	10%
Op bruto opbrengs van onroerende goed, aandele of soortgelyke sekuriteite verkoop of verbande verhaal	1%
Op die tegeldemaking van alle ander beleggings	0.5%
Per lid	R15
Per lid by heropstelling van rekeninge in opdrag	R20
Minimum geld	R2 500

2. Die vergoeding van die likwidateur is 'n allesinsluitende fooi, gebaseer op die opbrengs van die bates van 'n fonds vir dienste gelewer by die tegeldemaking van daardie bates, die opstelling van die likwidasierekening en die distribusie van die opbrengs aan lede en ander bevoorreedes. Alle kostes aangegaan in verband met daardie dienste vorm deel van die likwidateur se vergoeding, tensy die registrateur, op aansoek deur die likwidateur, andersins instem.
3. Die likwidateur kan die dienste van 'n aktuaris gebruik om bystand te verleen by die berekening van voordele vir die voorbereiding van die distribusie-skedule en dit vorm 'n spesifieke uitgawe-item teen "ander" by die "Voorsiening vir Likwidasie" in Aanhangsel B van Bylae K by die Regulasies uitgevaardig kragtens artikel 36 van die Wet op Pensioenfondse, 1956 (Wet No 24 van 1956).

4. Die likwidateur kan regsadvies inwin oor enige regspunt wat die likwidasie van die fonds raak. Sodanige kostes vorm nie deel van die vergoeding van die likwidateur nie en moet afsonderlik aangedui word soos die gelde betaal aan die aktuaris vermeld in paragraaf 3 hierbo.
-

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Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
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