

Please return this form to MIFA's offices by fax to 011 7873046/2849. Private Bag X 10095, Randburg, 2015.

To the trustees of (Tick your fund)

Auto Workers Provident Fund  Motor Industry Provident Fund  Motor Industry Pension Fund  Copartes Pension Fund

FULL NAME AND SURNAME OF MEMBER (BLOCK CAPITALS) \_\_\_\_\_

Date of birth \_\_\_\_\_ Identity number \_\_\_\_\_

Member number \_\_\_\_\_ Employed by \_\_\_\_\_

1. In terms of the Pension Funds Act, a member's dependants and persons who are not dependants but who are nominated by the member must be considered by the trustees when they decide in what proportion lump sum benefits are to be paid from the Fund on the death of a member. To assist the trustees in making their decision please read through disposal of lump sum death benefits before completing Section 3 to 4 below.

2. You MUST change your nomination every time there is a change to your dependants and non-dependants (i.e. you get married, divorced, have a child and so on)

3. DEPENDANTS:

Surname	Initials	Gender	Date of birth	ID number	Address & Contact number	Share of benefit	Relationship

4. NON-DEPENDANTS (NOMINEES):

Surname	Initials	Gender	Date of birth	ID number	Address & Contact number	Share of benefit	Relationship

I, the undersigned, recognise that my circumstances and those of the persons shown above as dependants and/or non-dependants may change. I undertake to advise the trustees of the Fund when any changes should be made regarding my dependants or non-dependants. I understand that this form amounts to an expression of my wishes and is not binding on the trustees whose responsibilities are set out in the Pension Funds Act. This nomination form supersedes all previous nomination forms submitted by myself.

Signed

Or left thumb print

Date

## DEPENDANTS AND NON-DEPENDANTS FORM

### **DISPOSAL OF LUMP SUM DEATH BENEFITS (THIS EXPLANATION IS NOT A LEGAL DOCUMENT - THE WORDING OF THE ACT IS DEFINITIVE)**

The explanation below is not binding on the trustees. It is meant as guidance. Payment to dependants and non-dependants is in accordance with the registered rules of the Fund and the provisions of the Act.

#### **PLEASE LIST YOUR DEPENDANTS AND ANY NON-DEPENDANTS ON THE OTHER SIDE OF THIS FORM AFTER YOU HAVE READ THE FOLLOWING:**

1. In summary, in accordance with the provisions of the Act, the following categories of persons will be dependants:
  - 1.1 persons for whose maintenance the member is legally liable for,
  - 1.2 persons whom the trustees consider to have been dependent upon the member at the time of his/her death,
  - 1.3 the spouse\* and children including a child born after your death, an adopted child and a child born out of wedlock of the member, and 1.4 persons for whose maintenance the member would have become legally liable if he or she had not died (for example an unborn child).
- \* "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 No. 68 of 1961), the Recognition of Customary Marriages Act, 1998 (Act No. 68 of 1997), or the Civil Union Act, 2006 (Act No. 17 of 2006), or the tenets of a religion.
2. A non-dependant is someone, other than the persons above and who was not dependent upon you, and about whom you feel strongly that you would like them to receive a portion of your benefit in the event of your death.
3. If there are dependants and no non-dependants, the trustees must consider all dependants and allocate a portion of the benefit to one, all or some of the dependants.
4. If there are no dependants but there are non-dependants, the benefit (or a portion thereof) shall be paid to the non-dependants. Provided that if the member's estate is insolvent, the lump sum payable shall be paid to offset the insolvent estate, and any balance remaining shall be paid to the non-dependants.
5. If there are no dependants, and only to the extent that payment is not due to a non-dependant in accordance with a written designation, any balance remaining shall be paid to the deceased member's estate or, where appropriate, the Guardian's Fund.
6. The trustees may pay the benefit to a beneficiary fund or an established trust for the benefit of the dependants and/or non-dependants.
7. Lump sums can be paid in the form of instalments over a period of time to dependants or non-dependants (agreement in writing must be obtained from major dependants or major non-dependants) subject to the Rules of the Fund.

#### **NOTES:**

- a. Income Tax as well as outstanding home loans, amounts due in terms of a valid divorce or maintenance order and any debt due to the Employer meeting the requirements of the Act shall be deducted prior to payment to dependants and non-dependants.
- b. The fact that a person is classified as a dependant or non-dependant does not mean that the trustees must award him or her any portion of the benefit from the Fund.
- c. An institution (for example an old-age home) can be chosen as a non-dependant.
- d. The requirements set out above do not apply to any insurance or life cover provided outside of the Fund.

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