

Divorce Decree requirements when claiming against the Fund

1. *Full names and ID numbers of the member spouse and the Non-member spouse*
2. *Divorce Decree should be eligible when presented to the Fund*
3. *Signed and stamped by the Court*
4. *Date of Divorce stated*

5 They should say how much is payable to the non-member spouse:

The plaintiff requests an order directing that% (*Note: or a specified rand amount – see discussion under 'pension interest' in the notes below*) of the defendant's pension interest be assigned to her, and that the fund be directed to endorse its records to reflect her entitlement, pending payment or transfer of her assigned portion of the pension interest in terms of the provisions of section 37D(4) of the Pension Funds Act.

6. Correct citation of the fund

The pension fund should be properly cited, although the Act does refer to the fund named *or identifiable* from the order. Orders are frequently obtained in which the insurance company which sponsors or administers the pension fund is mistakenly cited instead of the fund. It is not sufficient to refer to the sponsor or administrator (eg 'the Liberty pension fund'), as these financial institutions typically operate several funds.

7 Presentation to the fund

On divorce a copy of the order should be presented to the fund which will then initiate the necessary process for payment / transfer of the interest to the non-member spouse. The none member spouse should provide, certified copy of ID, Proof of tax registration and bank stamped confirmation of account details