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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF FINANCE

NOTICE 775 OF 2017

**AMENDMENT OF THE RULES OF THE GOVERNMENT EMPLOYEES
PENSION FUND**

In terms of section 29 of the Government Employees Pension Law, 1996 (Proclamation No.21 of 1996), the Board of Trustees hereby amends the rules of the Government Employees Pension Law, 1996, as set out in the Schedule.

Dr R Mokate

Chairperson of the Board of Trustees

On behalf of the Board of Trustees

SCHEDULE

Amendment of the Rules of the Government Employees Pension Law, 1996.

1. By the insertion of the following rule after rule 14.1.2:

14.1.3. The gratuity payable in terms of rule 14.1.1 or rule 14.1.2 shall be subject to a minimum of the benefit calculated in terms of rule 14.4.1.

2. By the substitution of rule 14.9.1 with the following rule:

14.9 Funeral benefits

14.9.1 In the case of:

(i) a member; or

(ii) a pensioner, whose pension either:

(aa) commenced on or after 1 December 2002; or

(bb) commenced prior to 1 December 2002 and who is still alive as at 1 April 2012;

the funeral benefits payable upon the death on or after 1 October 2017 of such member or pensioner and/or his or her spouse and/or eligible children and/or stillborn, as defined, are as follows:

(a) in the case of the member or pensioner a payment of R15 000;

(b) in the case of a spouse a payment of R15 000;

(c) in the case of an eligible child a payment of R6 000 per child;

(d) in the case of a stillborn a payment of R6 000 per stillborn:

Provided that any termination of pregnancy as determined in the Choice on Termination of Pregnancy Act, Act 92 of 1996, as amended, or any termination of pregnancy that is self-inflicted is specifically excluded.

3. By the substitution of rule 21.1 with the following rule:

21.1 An institution or body referred to in paragraph (a) and (c) of the definition of employer in section 1 of the Law or part of such an institution, body or function, which has members of the Fund in its service may, after negotiation and agreement, subject to a notice period of three months (or such shorter period as the Board approves) request the Board to cease participating in the Fund as regards membership of the Fund of members in its service or a part thereof subject to the provisions of the Law with specific reference to section 32 of the Law, in which case the Board deals with the appropriate part of the market value of the assets of the Fund which relate to such members on a basis decided by the Board acting on the advice of the actuary in terms of the wishes of such an institution or body or such part of such an institution or body and the affected members: Provided that, with effect from 1 April 2012:

- (i) where the transfer is to a fund with a defined benefit structure, the value of each member's interest will not exceed the funded position of such member's accrued interest in the Fund, based on market values, as determined by the actuary; or
- (ii) where the transfer is to a fund which does not have a defined benefit structure and the funding level of the Fund as determined by the actuary is less than 100%, then:
 - (a) each member's transfer value shall be such member's accrued interest in the Fund, providing the total transfer values do not worsen the funding level of the Fund by more than 0.25%; or
 - (b) where transfer values in terms of subsection (a) would worsen the funding level of the Fund by more than 0.25%, the value of each member's interest will not exceed the funded position of such member's accrued interest in the Fund, based on market values, as

determined by the actuary and the Fund shall consult the employer to fund the difference up to each member's accrued interest in the Fund.

4. By insertion of the following rule after rule 4.1.4:

- 4.1.4 (a) Should the duly elected chairperson/vice-chairperson vacate the position for any reason whatsoever, then a new chairperson/vice-chairperson will be elected from among the ranks of the trustees at the next duly called meeting of the Board of Trustees following upon the vacancy arising.

5. By insertion of the following rule after rule 4.1.8:

- 4.1.8 (a) Should the duly elected chairperson/vice-chairperson vacate the position for any reason whatsoever, then a new chairperson/vice-chairperson will be elected from among the ranks of the trustees at the next duly called meeting of the Board of Trustees following upon the vacancy arising.

6. Commencement date:

The rules shall come into operation on 1 October 2017.

