

- 9.3 In the event of the dissolution of the Council or the Board of Trustees or in the event of them ceasing to function during any period in which this Agreement is binding in terms of the Act, the Funds/Schemes shall continue to be administered by the office of the Council at the time.
- 9.4 Subject to the provisions of clauses 9.1 and 9.2 hereof, upon the expiry of the Agreement, the Funds/Schemes shall be liquidated in terms of clause 8 and/or 9 of this Chapter by the Council or Board of Trustees in office at the time or the trustee or trustees appointed by the Registrar of Labour Relations or the Financial Services Conduct Authority as the case may be.

#### **10. BENEFITS INALIENABLE**

- 10.1 The benefits provided for by the Funds/Schemes referred to in this chapter shall not be transferable and any member who attempts to assign, transfer, pledge or hypothecate his rights may forthwith cease to be entitled to any benefits whatsoever, and membership of the Funds/Schemes in respect of members and their dependants may be terminated by the Council or Board of Trustees: Provided that a member's Provident Fund benefits may, with the approval of the Board of Trustees and the Financial Services Conduct Authority as the case may be, be transferred to another registered, recognised provident/pension fund.
- 10.2 No benefit or right to any benefit shall be capable of being ceded, transferred, assigned or otherwise made over, or pledged or hypothecated. No contributions made by a member or on his behalf shall be liable to be attached or be subject to any form of execution under a judgement or order of a court of law except in terms of section 37D of the Pension Funds Act, 1956 (Act 24 of 1956)(as amended).

#### **11. WITHHOLDING OF BENEFITS**

The Council and/or Board of Trustees and/or Committee(s) may refuse and/or withhold any or all benefits from any member and/or his dependants who in its opinion, have acted in a manner calculated to or reasonably likely to harm the interests of the Funds/Schemes or their members: Provided that such members shall be given the opportunity of submitting an appeal to an independent body against the decision of the Council or the Board of Trustees or Committee(s), whose decision shall be final and binding.

#### **12. PAYMENT OF FEES, LEVIES AND CONTRIBUTIONS**