

# IT'S BEEN A DUZI – A PENSION LAW ROUNDUP FOR 2006

By Graham Damant  
Bowman Gilfillan

PENSION LAWYERS  
ASSOCIATION  
make a *splash* in 2007  
Conference

# SURPLUS ISSUES - IMPROPER USE

- ❑ The Shell Determination
  - ❑ Retrospectivity
  - ❑ Selection
  - ❑ Cost
- ❑ The Sanlampensioenfonds Case

# SURPLUS ISSUES - IMPROPER USE

- Amendments to legislation
  - Retrospectivity
  - Selection
  - Employer
  - Cost

PENSION LAWYERS  
ASSOCIATION  
make a splash in 2007  
Conference

# SURPLUS ISSUES – SECTION 15F EMPLOYER RESERVE ACCOUNT

- ❑ FSB: Reliance on Circular PF 105
- ❑ The Coca Cola Pension Fund Determination

# SURPLUS ISSUES – THE REGISTAR’S POWERS

- Valuations
- Former members
- Interest
- Nil schemes

PENSION LAWYERS  
ASSOCIATION  
make a *splash* in 2007  
Conference

# SURPLUS ISSUES – THE REGISTRAR’S POWERS

- Amendments to legislation
  - Interest
  - Nil schemes

# SURPLUS – THE GHAVALAS TRIAL

- Background
- The surplus debate
- The allegations

PENSION LAWYERS  
ASSOCIATION  
make a splash in 2007  
Conference

# CONFLICT OF INTEREST

- Bulking
- Mes vs Art Medical Equipment Pension Fund
- Fidentia

PENSION LAWYERS  
ASSOCIATION  
make a *splash* in 2007  
Conference

# CONFLICT OF INTEREST

- Proposed Amendments
  - Registrars Powers
  - Administrators
  - Fund governance

PENSION LAWYERS  
ASSOCIATION  
make a splash in 2007  
Conference

# RETIREMENT FUND REFORM – LIFE INSURANCE INDUSTRY

- Statement of intent
- March 2006 – National Treasury Paper on contractual savings in the life insurance industry
  - Commission
  - Minimum benefits
  - Transferability
- Draft regulations in terms of Long Term Insurance Act and Pension Act

PENSION LAWYERS  
ASSOCIATION  
make a splash in 2007  
Conference

# Retirement Fund Reform – General

- ❑ February 2007 – Retirement Fund Reform Discussion Paper

PENSION LAWYERS  
ASSOCIATION  
make a *splash* in 2007  
Conference

