

# The Relationship Between a Fund and its Service Providers

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## Who are the parties to the relationship ?

Do they include:

- the fund
- the trustees
- the fund's members
- the employer
- the insurer
- the administrator
- the investment portfolio manager

## How is the relationship defined ?

- Is it :
- contractual
- statutory
- fiduciary
- *sui generis*

What are the obligations and duties that are owed ?

## Recent cases that include :

- Mostert NO v Old Mutual 2001(4)SA 159 SCA and 2002(1)SA 82 SCA
- Sage Life v Van der Merwe 2001(2)SA 166 W
- Mostert NO v Saccawu

## **Recent cases that include :**

- Hellowell v Boart Longyear Pension Fund 1999 10 BPLR 150 PFA
- Connery v Old Mutual 2002 6 BPLR 3544 PFA
- other determinations by the Adjudicator