



**Tuesday 8th and Wednesday 9th of April 2025**

**BIRCHWOOD CONFERENCE CENTRE**

**JOHANNESBURG**

The Pension Lawyers Association reserves the right to modify the programme without prior notification

**CONFERENCE PROGRAMME**

**DAY 1 – Tuesday, 8 April 2025**

<b>TIME AND TOPIC</b>	
<b>08.30 - 08.45</b>	<b>Welcome</b>
<b>08.45 - 09.30</b>	<b>P1. Keynote address by Justice OL Rogers from the Constitutional Court</b>
<b>09.30 – 10.15</b>	<b>P2. To be confirmed</b>
<b>10.15 - 10.45</b>	<b>TEA BREAK</b>
<b>10.45 – 11.45</b>	<b>Focus Sessions</b>

TIME AND TOPIC	
	<p><b>1. Adjudicator and Financial Sector Tribunal determinations</b> The Office of the Pension Funds Adjudicator will discuss notable recent cases it has adjudicated, as well as key decisions of the Financial Services Tribunal.</p> <p><b>2. International Insights: The Steinhoff litigation and its implications for South African pension funds</b> We address the fiduciary duty to monitor recovery opportunities, practical strategies for identifying and assessing potential recovery avenues. In addition, we explore the complexities of the Steinhoff litigation, spearheaded by a Dutch law firm representing a South African class action group. We examine the case's development, key outcomes and the broader implications for South African pension funds and institutional investors.</p> <p><b>3. The current state of our law of contract: an expansive approach</b> We trace the evolution of contract interpretation in South African law. We examine the shift from a strictly literal interpretation (original Golden Rule) to a more flexible, contextual approach (expansive approach). This evolution reflects a growing emphasis on giving effect to the parties' intentions while maintaining contractual certainty.</p>
12.00 – 13.00	<p><b>Focus Sessions</b></p> <p><b>4. Section 37C death benefits: distribution, beneficiaries, and dispute resolution</b> We delve into the intricacies of section 37C death benefits under South African pension fund law. We explore the intricacies related to section 37C death benefits and the available dispute resolution mechanisms. We unpack real-life case studies and provide practical insights into the application of this important and troublesome legal provision.</p> <p><b>5. Artificial intelligence and machine learning: transforming financial services</b> We explore how artificial intelligence and machine learning are revolutionizing the financial services industry. We discuss the regulatory developments, the challenges and opportunities associated with the adoption of these technologies in retirement funds, considering factors such as data privacy, ethical implications, and the need for skilled professionals.</p> <p><b>6. POPIA Regulations relating to the processing of data subject's health or sex life</b> We discuss the draft Regulations for the processing of special personal information under POPIA, specifically in respect of health and sex life data. We discuss the specific requirements for handling this type of data, including consent, implementing robust security measures, and notifications to the Information Regulator. We will discuss the common challenges faced by responsible parties and practical best practices to ensure compliance with POPIA.</p>

TIME AND TOPIC	
13.00 - 14.00	LUNCH
	Plenary Session
14.15 - 15.00	<p><b>P3. Retirement benefits and divorce under the amended legislation, including the two-pot system</b></p> <p>We discuss the changes that have been made to the Pension Funds Act, including practical difficulties and what to look out for</p>
15.00 - 15.45	<p><b>P4. Cybersecurity: funds and service providers</b></p> <p>We consider the implications of the <i>Hawarden v Edward Nathan Sonnenbergs Inc</i> case for trustees and service providers in the context of cybersecurity risks. We examine the key takeaways from the case, the evolving landscape of trustee liability, and explore the crucial role of cybersecurity for funds and service providers in mitigating risks.</p>
15.45 - 16.30	<p><b>P5. Noteworthy and recent South African case law impacting retirement funds and employee benefits</b></p>

## DAY 2 – Wednesday, 9 April 2025

TIME AND TOPIC	
08.30 - 08:45	Opening
08.45 - 09.30	P6. Keynote address by Judge LTC Harms - Chairperson of the Financial Services Tribunal
09.30 - 10.15	P7. An update from the Office of the Pension Funds Adjudicator
10.15 – 10.45	TEA BREAK
10.45 - 11.45	<p><b>Focus Session</b></p> <p><b>7. Conduct Standard relating to Pension Fund Benefit Administrators</b> This Conduct Standard will replace the current Board Notice 24 of 2002. There have been significant policy and regulatory developments impacting the regulation of retirement fund administrators. We consider the requirements set out in this Conduct Standard, which includes incorporating the Treating Customers Fairly outcomes and conduct focus areas for benefit administrators.</p> <p><b>8. Challenges with arrear contributions and late payment interest (LPI), as well as section 37D of the Pension Funds Act in relation to arrear contributions</b> We review the on-going challenges with arrear contributions and LPI. We discuss the recent amendments to section 37D, specifically the introduction of section 300 of the Criminal Procedure Act, as well as what happens when a member is sequestrated and is married in community of property.</p> <p><b>9. Tax update</b> A discussion of recent and upcoming tax changes relevant to retirement funds.</p>
11.45 - 12.45	LUNCH
13.00 -13.45	<p><b>Plenary Session</b></p> <p>P8. Address by the Prudential Authority</p>
13.45 - 14:30	P9. Address by the Financial Sector Conduct Authority Deputy Commissioner
14.30 - 14.45	Closing