

# DEATH BENEFIT CLAIM FORM

# OVERVIEW



Please accept our sincere condolences on your recent loss.

If you need help filling in this form, please call 011 706 6123.

Please return these forms to: SACCAWU National Provident Fund  
PO Box 1850  
Johannesburg  
2000  
Email: info@snpf.co.za

193 Bryanston Drive  
The Braes (1st Floor)  
Moraine House  
Bryanston 2021  
Fax: 011 706 6243

85 Eloff Street  
Royal Place (Room 608)  
Johannesburg  
2000  
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## OVERVIEW

To pay out the death benefit from the Fund, we must make sure that all the people who depended on the member are fairly considered and protected. We must try to identify everyone who depended on the member for financial support, all dependants, and anyone whom the member had a legal

responsibility to support. We need to understand how each person relied financially on the deceased member. We need the attached forms to be filled in, together with certified copies of other documents. The picture and diagram below explain the process to be followed.



*This process can take up to 12 months. If you provide us with complete info, it can go much quicker*

## WHAT IS THE PROCESS THE FUND MUST FOLLOW?

### 1 First: We identify dependants

- The Trustees must try to identify everyone who depended on the member for financial support, as well as anyone else who was legally dependant on the deceased member and any other dependants. We have to consider all of their needs and circumstances before sharing out the death benefit.
- We will always consider everyone that the member has listed on their **Beneficiary Nomination Form**.
- But if there may be other people who relied on support from the member, then the Fund may need to wait for up to 12 months before sharing out the death benefit. Only if we are sure that we know about everyone will we pay out sooner than 12 months after the member's death.
- We rely heavily on the HR department at the member's work, on colleagues, on family and friends to help to identify everyone who relied financially on the member. **It can really speed up the process if we are sure that we know about all the potential dependants.**

### 2 Second: We need to understand HOW each person relied financially on the member, and how they were related to the member.

- We need all kinds of information, like ID documents; marriage and birth certificates; a copy of the member's Will; the **Beneficiary Nomination Form**; and financial details about dependants who wish to be considered. The **Death Claim Forms** and the supporting Annexures act as sworn affidavits.
- We have to be very careful that no-one is trying to cheat their way to some money, which is why we need certified copies.

### 3 Third: We share out the death benefit

- We share out the benefit fairly and reasonably to the people who were actually dependent on the member for support, and who would have depended on the deceased in future.
- **We do consider the member's written preferences** (the Beneficiary Nomination Form), but we sometimes need to act differently to obey the law. This may also mean that we can't always follow cultural or religious traditions.
- If the death benefit is big enough to provide appropriately for the needs of the member's financial dependants, then the law guides us in how we share any money between any nominees (and in certain cases, the member's Estate).

### 4 Finally, we are in a position to pay out the death benefit.

- Usually, we pay each person's share of the benefit into their bank account.
- However, if the benefit is for a child, we must make sure that the parent or guardian has the skills to be able to manage the money. This means that sometimes we may put the money into a special Beneficiary Fund, so that it can be paid out monthly or annually to help meet the child's needs.
- We have to **deduct tax** (where applicable) from the benefit paid to each person. We provide a benefit payment letter to each person, together with a copy of the relevant tax form (Form IRP5 or Form IT3a).

## WHO MUST COMPLETE THESE FORMS?

- Someone who knew the Deceased (the person who died) well should **make sure that these Death Claim Forms are all filled in**. This could be the Deceased's spouse or partner, or a close family member, or a person who knew the Deceased's personal circumstances, or the Employer of the Deceased.
- Some of the forms may be filled in by other people. **Please only fill in the relevant forms**, but note that **Claim Form 1** (About the Deceased) **MUST be completed**.
- The person who completes a form **must sign it in front of a Commissioner of Oaths**.

## What forms must you fill in?

Forms that we ALWAYS need	Forms that we USUALLY need	Forms that we SOMETIMES need
<p><b>Claim Form 1</b> About the Deceased</p>	<p><b>Claim Form 2</b> About the spouse / Life partner / Ex-spouse / Guardian</p>	<p><b>Claim Form 5</b> Dependants who do not wish to claim</p>
<p><b>Claim Form 6</b> About the Employer</p>	<p><b>Claim Form 3</b> About the children</p>	<p><b>Claim Form 7</b> Police report</p>
	<p><b>Claim Form 4</b> Other financial dependants</p>	

Claim Form	Who should fill in this form?
<b>Claim Form 1:</b> About the Deceased (COMPULSORY - MUST BE FILLED IN)	Deceased's <u>spouse or partner</u> , or a <u>close family member</u> , or a person who knew the Deceased's personal circumstances, or the <u>Employer</u> of the Deceased.
<b>Claim Form 2:</b> About a Spouse or Permanent Life Partner or Ex-Spouse or Guardian	Deceased's <u>Spouse</u> (husband or wife) AND/OR <u>Permanent Life Partner</u> AND/OR <u>Ex-Spouse</u> AND/OR <u>Guardian</u> Each person should complete a separate form.
<b>Claim Form 3:</b> About any Children (All children of the Deceased: Biological, adopted, foster, stepchild, regardless of age)	<u>Parent or Guardian</u> of any children of the Deceased.
<b>Claim Form 4:</b> Other financial dependants	<u>Anyone else</u> who was financially dependent on the Deceased – for example, parents, grandparents, brother or sister, or similar.
<b>Claim Form 5:</b> Dependants who DO NOT wish to claim	Anyone who may have been a Dependant, but DOES NOT want to receive a portion of the benefit. (This may include any of the above family members).
<b>Claim Form 6:</b> About the Employer (COMPULSORY)	A manager or colleague or HR representative at the <u>Deceased's Employer</u> .
<b>Claim Form 7:</b> Police Report (Only if death was not due to natural causes)	The investigating officer at the Police Station.

## SUPPORTING DOCUMENTS

What other information do we need? (We need CERTIFIED COPIES, please!)	
<b>General</b>	Death certificate.
	If available: Beneficiary Nomination Form (if the Deceased nominated people for the death benefit).
	Three (3) months Bank statement or letter from bank with banking details of each dependant who is older than 18. If three (3) months bank statement is not available, proof of when the bank account was opened is to be provided.
	If available: Proof of income of the Deceased (such as a recent payslip).
	If available: Last Will and Testament or Next of Kin Affidavit (J192). The Next of Kin Affidavit must be filled in if the member died without a Last Will and Testament, by the person who reports the member's Estate to the Master of the High Court. You can get this form from the Master of the High Court or a Magistrate's Court.
	If available: Letter of Executorship or Letter of Authority (and the name of the Executor and/or Master of the High Court).
	If the Employer is claiming a refund from the benefit: Supporting documents, with acknowledgement of debt by member.
<b>If the deceased was married</b>	ID of the spouse.
	Marriage certificate/Proof of Customary Union.
	If available: Proof of any financial support.

<b>If the deceased was divorced</b>	ID of the Ex-Spouse.	
	Maintenance order and/or divorce order; or proof of termination of Common Law or Customary Union.	
	If available: Proof of income of Ex-Spouse.	
	If available: Proof of regular support by Deceased.	
<b>If the deceased was widowed</b>	Death certificate of Spouse.	
<b>Children (all ages) and Grandchildren (if they depended on Deceased)</b>	ID of each child.	
	Birth certificate of each child.	
	If available: Proof of any income or financial support of child.	
	Proof of schooling/student status.	
	If applicable: Proof of any disability likely to affect ability to work (Medical certificate or letter).	
	If applicable: Proof of Guardian's appointment.	
<b>Other financial dependants or nominees</b>	If applicable: Proof of income of Guardian.	
	ID of the dependant.	
	If available: Proof of any financial support.	

## What is the difference between a dependant and a nominee?

- A dependant is usually someone who depended on the member for regular financial support – this is a factual dependant. Some people (such as a wife or a child) have a legal claim for maintenance, and they will also be considered as a legal dependant. The following people may be considered as dependants in terms of the Pension Funds Act:
  - > Spouses (including customary and religious unions, civil marriages and civil partnerships).
  - > Children (biological, stepchildren and legally adopted).
  - > Anyone proven to be dependent on the Deceased for maintenance or financial support, or legally liable for maintenance or financial support (e.g. in terms of divorce agreements or maintenance orders). This could be someone who would have become legally liable for maintenance, had the Deceased not died (e.g. engaged to be married, unborn children).
- A nominee is someone who the member nominated in their Beneficiary Nomination Form to receive a portion of the benefit. They may ALSO be a dependant, but not always.
- Being nominated by the Deceased does not mean you will definitely get a benefit. We have to consider the circumstances of all the dependants. Only if there is money left over (after considering the needs of all the dependants) will a nominee who is not a dependant receive a share of the benefit.

## WHAT DO ALL THESE WORDS MEAN? (GLOSSARY)

Word	Meaning
<b>Affidavit</b>	A signed statement that you promise to be true in front of a Commissioner of Oaths. Also called a Sworn Declaration.
<b>Adopted child</b>	A child where a legal process has been followed to take the child into your family, so that the child is recognised as your own child.
<b>Beneficiary</b>	A person who gets a share of the Death Benefit from the Fund.
<b>Biological</b>	Real/related by blood/direct family
<b>Beneficiary Nomination Form</b>	The form filled in by the Deceased, which lists the people who the Deceased wants the Trustees to consider when sharing out the Death Benefit.
<b>Certified copy</b>	A copy of a document that has been stamped and signed by a Commissioner of Oaths to show that it is true and accurate.
<b>Colleague</b>	Someone the Deceased used to work with.
<b>Commissioner of Oaths</b>	A trusted person (like a policeman, a lawyer, a certified Post Office employee, or some Old Mutual branch employees) who will stamp your documents to confirm they are true and correct.
<b>Compulsory</b>	A section that <u>must</u> be filled in.

<b>Conflicting information</b>	If the information given to us does not all fit together, or seems to be wrong.
<b>Curator</b>	A legal representative appointed by the Court to manage the finances and property of another party. The curator fulfills these duties for as long as the curatorship is in place.
<b>Death Benefit</b>	The amount of money payable upon the death of a member (i.e. as a consequence of the death of the member).
<b>Deceased</b>	The member of the Fund who has died.
<b>Declare under oath</b>	To make a sworn statement in the presence of a Commissioner of Oaths.
<b>Dependant</b>	Someone who relied on the Deceased member for financial support on a regular basis, or someone who was legally dependant on the Deceased, or someone who would have become legally dependent. Please see Section 1 of the Pension Funds Act for a complete definition.
<b>Executor</b>	A person who has been appointed by the Master of the High Court to administer the Deceased's estate.
<b>Foster child</b>	A child who you have taken into your family to look after, but have not officially adopted.
<b>Fund</b>	The SACCAWU National Provident Fund.
<b>Guardian</b>	The person legally responsible for the care and management of a child under the age of 18.
<b>Last Will and Testament</b>	A formal document stating the Deceased's wishes in terms of who is to receive their money and/or possessions when they pass away. This does NOT include the Death Benefit payable from the Fund.
<b>Legally liable</b>	Responsible
<b>Maintenance</b>	Financial support that must be paid to any person to whom a duty of support is owed.
<b>Marriage types:</b>	<ul style="list-style-type: none"> <li>• <b>Civil, with Ante-Nuptial Contract:</b> The marriage is conducted by a marriage officer (who can also be a minister of religion), and there is an Ante-Nuptial Contract.</li> <li>• <b>Civil Union Partnership:</b> A marriage or partnership registered in terms of the Civil Union Act.</li> <li>• <b>Customary Union:</b> A marriage negotiated, celebrated or concluded according to any of the systems of indigenous African customary law which exist in South Africa. A customary union concluded after 15 November 2000 must meet the requirements set out in the Recognition of Customary Marriages Act.</li> <li>• <b>Religious Union:</b> A marriage in terms of a widely recognised religion, but which was NOT conducted by a marriage officer.</li> </ul>
<b>Misrepresentation</b>	False or misleading information.
<b>Next of Kin</b>	The person most closely related by blood to the Deceased.
<b>Nominated</b>	Designated in writing to the Fund.
<b>Occupation</b>	Your job (e.g. office clerk/doctor/policeman/mineworker/technician, or similar)
<b>Pension Funds Act</b>	The South African law about retirement funds.
<b>Permanent Life Partner</b>	Where a couple lives together outside marriage, but in a relationship which is similar to a marriage, they are called "Permanent Life Partners".
<b>Qualifications</b>	The courses you have studied (e.g. matric/university degree/college diploma/FET certificate).
<b>Spouse</b>	Your husband or wife.
<b>Stepchild</b>	A child of your husband or wife, from another relationship.
<b>Sworn Declaration</b>	A sworn statement made in the presence of and administered by a Commissioner of Oaths.
<b>Trustees</b>	The Management Board of the Fund, who is responsible to govern the Fund and make decisions.



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