DURBAN PENSION FUND

Fund Registration Number: 12/8/32435

Registered Address
10 Torsvale Crescent
Torsvale Park
La Lucia Ridge Office Estate
La Lucia
4320

PRIVATE & CONFIDENTIAL

August 2025

Dear Member

PROPOSED RULE AMENDMENT 4 – ALIGNMENT OF RULES WITH PENSION FUNDS ACT (RETIREMENT FUNDS LAW)

The Trustees of Durban Pension Fund resolved to refer Rule Amendment 4 to in-service members, pensioners and deferred pensioners for voting. The reasons for the Rule Amendment include:

- The law (the Pension Funds Act) requires any contribution to a fund in terms of its rules to be paid into the fund's bank account not later than seven days after the end of the month for which such a contribution is payable.
- The rules of the Durban Pension Fund are currently more onerous and require the employer to pay 95% of contributions on the day on which the contribution is deducted (which is sooner than the law requires).
- Late payment interest is payable to the Fund by the employer only if contributions are paid later than the period set by the law (interest is not charged from the deadline set out in the rules of the Fund).
- The Fund is defined benefit in nature, so there is no prejudice to the members if contributions are paid within the period required by the law but not as soon as required by the current rules of the Fund.

Accordingly, the board of trustees of the Durban Pension Fund believes that the rules should be amended to align with the law.

The board of trustees, the Fund's actuary and the principal officer are of the firm view that the rules should be amended to be aligned with the law (Pension Funds Act) as set out in the proposed Rule Amendment below:

4.3 CONTRIBUTIONS PAID TO THE FUND

The CONTRIBUTIONS due shall be paid to the FUND within seven days after the end of the month in respect of which the CONTRIBUTIONS were made. If CONTRIBUTIONS are not paid to the FUND as required in terms of the ACT, the EMPLOYER shall be required to pay late payment interest at the rate prescribed in the ACT. Any such interest shall be included in the investment return on the assets of the FUND.

Chairperson: DA Rogers
Principal Officer: S Davidson
Employer Appointed Trustees: NL Khuzwayo, NP Hlomuka, P Pillay, N Madlala, MG Shange, S Mbele
Member Elected Trustees: DA Rogers, K Aswanth-Kumar, J Beugger, KA Goodsell, E Seedat, C Nagooroo

In terms of the rules of the Fund, members, pensioners and deferred pensioners of the Fund must vote on such Rule amendments. Due to the limitations of postal services, voting is to be conducted electronically using cell phones via sms. A message will be sent to all members and pensioners for whom the Fund has cell phone numbers. Members, pensioners and deferred pensioners will be able to vote using sms. Please note that only one vote per person will be counted. If a second vote is cast, it will be disregarded.

You are requested to give serious consideration to this proposed Rule amendment and to vote by sms within 30 days of receiving the sms invitation to vote. If you have not received the sms from the Fund, please contact the Deputy Principal Officer, HD Naidoo, on dasanah@gmail.com or the Secretariat on NaidooRo@aforbes.com

Yours faithfully

Samantha Davidson
PRINCIPAL OFFICER

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