

# REPUBLIC OF SOUTH AFRICA

(Form of Petition to Parliament)

## TO THE HONOURABLE THE SPEAKER AND MEMBERS OF PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA, IN PARLIAMENT ASSEMBLED

(1) Here insert (a) in the case of one petitioner, name, description and place of residence and (b) in the case of more than one petitioner, description and place of residence.

The Petition of the undersigned (1)

Gerhard Cilliers, disability policy claimant, residing at 528 De Velde Estate,  
De Beers Street, Somerset West, 7130  
Tel: 082 932 5755. email: gcilliers@verorep.com

(2) Here set forth the case or circumstances to be brought to the notice of Parliament and the nature of the relief asked for.

Respectfully sheweth: That (2)

Mr Cilliers is petitioning for amendments to be made to the Long-Term Insurance Act. He asks that a clause be created to make it mandatory for Own Occupation Disability Benefit cover to include a whole-life option for current and new policies, and to make this retroactive for previous policies, at the option of affected policy holders.

If policy holders exercise the option they have they must make a lump sum payment to cover the difference between term premiums paid and the whole life premium that would have been charged if the policy holder were given a whole life option instead of having a term option only.

### OFFICE OF THE SPEAKER

Name: Sm

Date 15 SEP 2016

Received:

Signature: [Signature]

Submitted by: Marian Shinn MP

Wherefore your petitioner (or petitioners) prays (pray) that the Honourable Parliament will be pleased to take his (or their) case into favourable consideration, and grant such relief as it may deem fit.

And your petitioner, as in duty bound, will ever pray.

(Signatures to follow.)



15/09/2016

Re: Old Mutual Green Light Own Occupation Disability Benefit

I Gerhardus Cilliers residing at De Velde Estate 528, De Beers str, Somerset West, 7130 , petition the Parliament of the Republic of South Africa to amend legislation pertaining to long-term insurance of Own Occupation Disability Benefit to include whole-life option for current and new policies, and for this amendment to be made retroactive.

My Neurologist forced me to resign my own occupation in March 2003 as a Computer System Analyst due to several mini-strokes, caused by recurring migraine attacks as a result of over exposure to computer screens. A successful claim was lodge against the policy. Given the Neurologist input it is impossible for me to commence with my own occupation.

As the owner of the above mentioned Green Light Policy, erroneously sold to me by an Old Mutual representative, where the 5 and 10 year term was marketed as periods where a claim could be lodged against the policy, I am currently destitute where Old Mutual seized monthly payments, because the policy I bought was a term policy. This came to light with correspondence between myself and Old Mutual. The policy I bought in 2002 did not have a choice for whole life income protection. This is unacceptable.

Old Mutual changed the policy in September 2012 to include a whole life option. The policy I bought in 2002 therefore should be declared unlawful.

Herewith a request to refer this matter to the Honourable Legislator and Honourable Parliament where insurance legislation must change to force Insurance Companies to include whole life options for current and past policies. I should have had the option to choose a term or whole life option on the policy.

I am willing to pay Old Mutual the difference in monthly policy premiums, with the risk and liability to pay any benefit lasting whole life instead of term.

Given the financial devastating effect it has on a policy holder later in life if they can not continue with their own occupation, it is unthinkable that legislation does not protect individuals from this kind of devious marketing and selling of insurance products.

Legislation should be there to protect the public, not to have individuals with income protection policies to contemplate suicide later in life, because the policy they bought is insufficient without a whole life option.

I bought the policy to protect me and my dependants from the unforeseen, but then the carpet was pulled from under me, with devastating financial consequences! The fact is that legislation did not protect me, and as a consequence my wife and I are in this dire situation since my loss of income. It is also true that it is impossible to resume with my own occupation given the comments of my neurologist.

Attached are ITA34 and IRP5 from 2011 - 2014 to show the only income received was from Old Mutual.

My life as a professional included computer system analysis, building new systems and re-engineering of old systems to make them more effective. This is what I did on a daily basis until mini-strokes put an end to that. I do not have any other qualifications or work experience. I hope



you can contemplate my hopelessness in the future, without an income protector that I took out in good faith, without the faintest idea that it will put me in this predicament later in my life.

With thanks and kind regards.

Gerhard Cilliers

0829325755

(Please see general remarks below.)

General Remarks

1. I received a tertiary qualification in computer systems analysis at Unisa in 1986.
2. I bought the Old Mutual Green Light Own Occupation Disability Benefit in 2002. The product was marketed by an Old Mutual financial adviser with a choice of 5 years and 10 years period. According to the marketer this was periods where a claim could be lodged against the policy. I bought the 10 years period.
3. In March 2003 my Neurologist commented the following where a claim was lodged against the policy: "It is therefore my recommendation that Mr Cilliers should be declared medically unfit to commence with any computer work, seeing that this is really to the detriment of his health." This was the result of over exposure in front of the computer where I spend all my time in front of a computer, with recurring migraine attacks. My MRI scan (2002) shows mini strokes due to over exposure on computers which forced me to restrain from computers.
4. A successful claim was lodge against the policy in 2003.
5. In March 2015 Old Mutual informed me that my monthly income will cease because it reached the end of the 10 year cover date. It then came to light that the policy I bought was a term policy and not a whole life policy.
6. Correspondence with Old Mutual also reveals that the policy I bought in 2002 did not have a whole life option choice. It was changed in 2012 to have a whole life choice.
7. Given the fact that I can not commence with my own occupation this policy left me and my dependants financially destitute.
8. I herewith request for the policy I bought in 2002 to be declared unlawful given the fact that Old Mutual sold me a term policy (with devious marketing) but without an option of whole life. **Legislation should also change and be backdated for all own occupation policies to have a whole life choice.**
9. To be in this situation at age 58, without an income and no prospect to return to my own occupation, and where I made provision to protect my income with an own occupation disability policy, is unfair practice and should be unlawful.
10. In June 2015 an appeal was lodged with the Ombudsman but with the current legislation has ruled in favour of Old Mutual on the 11<sup>th</sup> of November 2015.

Gerhard Cilliers