**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2920**

**DATE OF QUESTION: 12 AUGUST 2018**

**DATE OF SUBMISSION: 26 OCTOBER 2018**

**Adv T E Mulaudzi (EFF) to ask the Minister of Justice and Correctional Services:**

What (a) number of beneficiaries has not received their money from teh Guardians Fund due to a lack of supporting documentation and (b) amount was returned from teh Guardians Fund to the Pension Fund since 1 April 2014?

**NW3228E**

**REPLY:**

1. In terms of section 89 of the Administration of Estates Act 1965 (Act No. 66 of 1965), the Master shall upon application of nay person who becomes entitled to receive funds out of the Guardians Fund, pay that money to the that person. Prior to any payment processed, supporting documentation together with the application has to be submitted, to verify that the correct beneficiary is paid.

In some instances, funds are received from the Government Employees Pension Fund (GEPF) without supporting documentation and/ or information to identify the person to whom the funds belong to. Beneficiaries can then not receive their money from the Guardians Fund due to lack of supporting documentation to identify them. These funds then need to be sent back to GEPF, instead of paying tot eh beneficiaries.

Based on the above, since 2016, funds of approximately 1 044 beneficiaries were refunded to GEPF.

1. Since 2016, an amount of R192 914 462.69 in favour of the 1 044 beneficiaries was refunded to GDPF due to lack of supporting documentation to identify them.

Additionally, a decision was taken in 2016 to return unidentified funds received to GEPF, after opportunity was afforded to the GEPF to ensure that appropriate documentation be submitted as the non-receipt of supporting documentation places an unacceptable level of risk on the Guardian`s Fund which in effect represents a transfer of risk from the GEPF to the Guardian`s Fund.