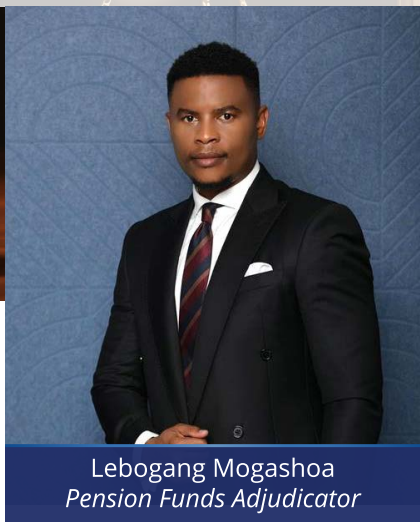




The Quarterly DIGEST

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Lebogang Mogashoa
Pension Funds Adjudicator

From the Adjudicator's Desk

The Office of the Pension Funds Adjudicator (OPFA) closed the 2025/26 financial year with a record 13,041 complaints lodged by the end of the fourth quarter - a striking 26% increase on the 10 331 cases recorded in 2024/25.

This surge reflects not only rising consumer engagement but also the OPFA's expanded outreach drive, which has included targeted media campaigns, active participation in key industry forums, and the publication of practical guidance materials aimed at pension fund members and the wider financial sector.

While the rise in complaints underscores greater accessibility and heightened public awareness of the OPFA's mandate, it also demands smart resource allocation decisions going forward, including across human, ICT and other resources as well as process optimisation to ensure that the organisation maintains the service standards customers have come to expect from the office.

Despite mounting demand, the OPFA sustained robust operational performance in the year under review. A total of 9 483 complaints were investigated and finalised, with 91% (8 677) resolved within 180 days, fully aligned with the organisation's strategic objectives. The bulk of these matters stemmed from section 13A of the Pension Funds Act, focusing on employer contribution compliance, alongside a significant share of withdrawal benefit disputes.

Overall, the OPFA met 77% (13 out of 17) of its strategic objectives outlined in the 2025/26 Annual Performance Plan, underscoring its sustained commitment to delivering timely and high-quality dispute resolution, alongside sound corporate governance.

From a financial standpoint, the OPFA incurred actual expenditure of R114,002 million, slightly above the budgeted R112,728 million for 2025/26. Employee-related costs remained the dominant driver, accounting for 54% (R61,761 million) of total spending. On the revenue side, pension levy revenue collections reached

R117,202 million, exceeding the projected revenue of R112,492 million for the period. This outperformance ensured the OPFA remained in a sound capital position, with sufficient resources to meet its operational requirements for the year under review.

Stakeholder engagement remains central to the OPFA's operating model, serving as a vital channel for communicating its mandate, complaint trends, landmark determinations, and policy developments. At the Pension Lawyers Association (PLA) Conference, the Pension Funds Adjudicator articulated the OPFA's strategic outlook and detailed targeted interventions to strengthen the complaint resolution process and enhance value for pension fund members. Key messages emphasised the need for closer cooperation between the OPFA, pension funds, and administrators during investigations, the development of stronger internal complaint-handling frameworks, and the adoption of more rigorous governance and investigative practices.

Internally, the OPFA remains focused on institutional sustainability. Priority areas include leveraging Executive Authority support to optimise revenue collection processes, ensuring predictable and timely revenue flows, and placing the people agenda at the centre of organisational strategy. This commitment is reflected in sustained investment in training and development, competitive remuneration frameworks, and a comprehensive employee value proposition to foster a resilient, high-performance organisational culture.

Through these strategic interventions, the OPFA aims to stay responsive to rising demand while safeguarding the integrity, efficiency, and independence of South Africa's pension complaint-processing system.

INSIDE THIS ISSUE

Lessons from recent Adjudicator determinations

Recent OPFA determinations highlighting the importance of thorough investigations, fair benefit allocations, sound governance, and compliance by trustees and funds.

Page - 02

Permanent life partner or partner, who am I to the deceased member?

This article explores how pension funds determine whether a permanent life partner qualifies as a dependant for death benefit allocation purposes.

Page - 05

Note from a Case Officer

Reflects on the role of an OPFA Case Officer in investigating pension complaints, upholding fairness, and strengthening trust in South Africa's retirement system.

Page - 07

Inside the Financial Ombud System's strong start to 2026

Highlights collaborative efforts across the financial ombud system to strengthen consumer awareness, accessibility, and dispute resolution in 2026.

Page - 09

Driving accountability through Stakeholder Engagement

This article highlights the OPFA's nationwide stakeholder engagement efforts to strengthen accountability, consumer awareness, and compliance across the retirement fund industry.

Page - 10



Nondumiso Ntshangase
Senior Legal Advisor

Lessons from recent Adjudicator determinations

Trustees are entrusted with significant duties in terms of the Pension Funds Act and the measure of how faithfully these duties are discharged is often tested in the crucible of complaints that land on the desk of the Adjudicator.

In this edition, we spotlight several noteworthy determinations from the past quarter, cases that illuminate how trustees grapple with complex decisions and demonstrate the practical application of their statutory responsibilities.

Together, these rulings offer valuable insight into the standards of diligence, judgment, and compliance expected of those entrusted with safeguarding pension fund members' interests.

Section 37C determinations

In *Rakoma v Galaxy Umbrella Retirement Fund and Another*, the Adjudicator set aside the fund's allocation of death benefits due to insufficient investigation into the circumstances of the dependants. The fund allocated of 80% of the death benefit to the deceased's minor son (3 years old) and 20% to his elderly mother.

Although both the defendants were correctly identified by the fund, the Adjudicator held that the fund failed to properly investigate the child's actual circumstances. The facts indicated that the deceased contributed R500 per month in maintenance. However, the fund allocated benefits amounting to R2 000 per month without assessing whether the child's mother could provide support him or verifying claims that his educational needs were already covered.

Similarly, the fund did not assess the mother's monthly financial needs, other income sources, or future employment prospects, nor was there any indication of what life expectancy assumptions were used in calculating her share of 20%.

Author's Perspective: Allocations should be based on verified monthly expenses, supported by documents such as medical bills, school fees, bank statements, and utility accounts. Using this information helps trustees ensure a fair allocation. It is also important to investigate other financial sources of income which might change a beneficiary's financial status.



When trustees consider the needs of dependants, it is imperative to consider future needs. This becomes even more relevant where the dependant has no future earning capacity.

In ***Prozesky v Ninety One Retirement Annuity Fund and Another***, the Adjudicator reaffirmed that nomination forms are not binding on trustees, and that interdependence is sufficient to establish dependency. The trustees initially awarded the full death benefit of R2.27 million to the deceased's friend, the sole nominee. This decision was set aside following a complaint on behalf of the deceased's sister, who had a moderate intellectual disability and lived with her. After reconsideration, the fund allocated 40% to the sister and 60% to the friend.

The friend challenged the outcome and argued that she was the sole nominee, had lived with the deceased since 2005, and had carried most household expenses since 2016. She contended that the sister was financially independent due to a SASSA grant and a R200 000 inheritance, and that she had already paid her R700 000.

The fund, however, considered the sister's future needs, including assisted future living costs of R10 000 to R30 000 per month and her life expectancy to age 80. The fund submitted that all her current resources were insufficient to meet her future needs.

The Adjudicator emphasised that a nomination form serves as a guide to trustees, and is not binding, and that equitable distribution requires considering all relevant factors. No beneficiary is entitled to a share of the benefit; however, they are entitled to an equitable allocation, which is why the complainant received less than the nominated amount.

The Adjudicator further found that the deceased, the friend, and the sister were interdependent, and rejected the claim that the sister depended solely on the friend.

Author's Perspective: When trustees consider the needs of dependants, it is imperative to consider future needs. This becomes even more relevant where the dependant has no future earning capacity.

Section 37D(1)(b)(ii)

In ***Nkosi v 10X Umbrella Fund and Others***, the complainant challenged a deduction to be made after he had signed an Acknowledgment of Debt ("AOD"), admitting liability for theft. Despite later denying wrongdoing, the Adjudicator upheld the deduction.

The employer had opened a theft case and the complainant confessed to the theft at the police station and signed an AOD for R76 851.36. He later claimed that the administrator advised him to sign so he could receive part of his benefit while the case was under investigation.

The Adjudicator assessed whether the AOD was valid and binding, which requires that:

- It relates to compensation for damage caused by dishonest conduct.
- It was signed voluntarily, without duress.
- It specifies the amount owed.

The complainant did not dispute having signed voluntarily, and the Adjudicator found that the AOD met all requirements. The Adjudicator held that the requirements for a deduction were also satisfied, namely, a benefit was payable, an amount was due to the employer, and the reason involved dishonest conduct. The fund acted lawfully by relying on a signed AOD, and no court order was required for the deduction. The fund was ordered to pay the balance of the benefit to the complainant after effecting the deduction.

Similarly, in ***Singh v Old Mutual Superfund Provident Fund and Another***, the complainant argued that she signed the AOD under duress due to threats of legal action. This argument was rejected by the Adjudicator.



The Adjudicator held that the AOD met the requirements of a valid agreement and emphasised that the complainant had been given an opportunity to make representations. It was also reiterated that threatening an employee with civil or criminal proceedings does not amount to duress, since employers are legally entitled to pursue such actions - see 10X Umbrella Provident Fund v The Pension Funds Adjudicator and Others (PFA89/2020 [2021] ZAFST 122 (28 April 2021)).

The employee was presumed to have understood what she signed, despite the employer having drafted the contents of the AOD for her. The fund was, therefore, found to have acted lawfully in withholding the benefit.

Author's Perspective: Members often reconsider their decisions even after signing an AOD. While some may have valid reasons, many changes arise from a realisation that admitting liability prevents them from receiving benefits. It is, therefore, critical for funds to investigate allegations of duress thoroughly. Ensuring that an AOD is witnessed by a neutral party at the time of signing provides critical evidence on whether the member acted voluntarily or under pressure.

Other fund issues

In *Lane v Motor Industry Provident Fund and Another*, the fund was held liable for paying a member's withdrawal benefit to an unrelated third party.

The complainant left service of his employer in 2007 and, in 2024, claimed his benefit. However, the fund paid the benefit to a third party, his two year old niece. The fund advised him to open a fraud case, but he argued the error lay with the fund's lack of due diligence.

The Adjudicator found that the complainant had not signed the claim forms and noted discrepancies, such as sections requiring both member and bank account holder signatures being signed by only one person. The fund offered no explanation.

Relying on section 7(D)(1) of the Act, the Adjudicator held that the board failed in its duty to maintain proper controls, resulting in payment to the wrong individual. The fund was accordingly ordered to pay the complainant his withdrawal benefit plus fund return dating back to 2012. Crucially, the Adjudicator underscored that relief is determined on a balance of probabilities, not the higher criminal standard of proof – meaning the complainant's entitlement stands irrespective of the outcome of any criminal investigations.

Author's Perspective: The Act now permits third party payments only where the member proves they cannot open a bank account. As an added safeguard, some funds also require an indemnity from the member, which can protect the fund against future disputes.

In *Transport Sector Retirement Fund v Clinx Medical Waste Management (Pty) Ltd and Others*, the Adjudicator held the directors of the company personally liable, jointly with the employer.

The complaint was brought against the employer and its active directors, who, in terms of section 13A(8)(a), may be held personally liable for failing to pay contributions according to the rules of the fund. The fund identified one individual as responsible, based on a written notice provided to the fund, and sought to hold the remaining directors liable in their capacity as active directors.

The fund submitted that the employer and its directors had failed to pay contributions, late payment interest, and provide supporting schedules, despite taking steps in line with FSCA Conduct Standard 1 of 2022, including notifying members and issuing formal correspondence. No response was received.

Although the fund reconstructed the contributions and interest due, the Adjudicator declined to grant an order of a sum of money as compensation without the employer's contribution schedules, instead directing the employer to provide accurate contribution records.

Regarding personal liability, the Adjudicator clarified that only duly appointed directors may be held liable in terms of section 13A. As the individual identified by the fund in terms of section 13A(9)(a) was not listed on the CIPC register as a director, they could not be held liable, while the remaining directors were confirmed and held jointly liable with the employer.

Author's Perspective: Funds must ensure clear communication when requesting information about individuals to be considered directors in terms of section 13A(9)(a). It may be necessary to make explicit in the communication to employers that such individuals must be reflected on the CIPC register for the employer to comply. Failure to meet this requirement exposes every director to personal liability, a consequence that may be prejudicial to the directors who would have relied on the person named in the section 13A (9)(a) notice.



Fikile Nxumalo
Assistant Adjudicator

Permanent life partner or partner, who am I to the deceased member?

Boards of pension funds must actively investigate and confirm dependency before disposing of a deceased member's benefit. The steady stream of complaints reveals a recurring fault line in death benefit distributions - many complainants misconstrue the legal meaning of a "life partner", and challenge the entitlement of permanent life partners to share in the distribution of a death benefit. This overlooks the simple fact that the law allows genuine permanent life partners to share in the distribution of the benefit.

Legislative framework

Section 37C of the Pension Funds Act 24 of 1956 ("the Act") deals with the disposition of a death benefit. Section 37C provides that a death benefit may be paid to a dependant, a nominee, or dependants and/or nominees in such proportions as the fund may deem equitable. The board of trustees is entrusted with the task of assessing who these people are and how the benefit would be distributed.

Section 1 of the Act defines a dependant to include a spouse of the member. The section further defines a spouse as either a person who is a permanent life partner or legally married to the deceased. There is usually a misconception that a life partner that does not have a signed life-partnership contract cannot be considered as a life partner and thus cannot be eligible to receive a benefit. However, the reality is that a life partner does not need to produce a signed life partnership agreement in order to qualify as a life partner and thus a dependant for the purposes of distribution of a death benefit.

The main consideration in assessing whether a claimant is a permanent life partner is whether there is a reciprocal duty of support between the partners. In **Hlathi v University of Fort Hare Retirement Fund** [2009] 1 BPLR 37 (PFA), the Adjudicator ruled that one is a permanent life partner as long as it can be established that he/she and the deceased were in a permanent

relationship of mutual dependency or inter-dependency and shared a common household. In **Whitcombe v Momentum Provident Preservation Fund and Another** [2016] 2 BPLR 290 (PFA) at paragraph 5, the Adjudicator held as follows:

"On the evidence, there appears to be no doubt that the deceased and Ms Pollock lived together and shared a household and had an emotional and intimate bond. In this regard, this Tribunal is convinced that the board of the first respondent acted correctly in identifying and considering Ms Pollock as a permanent life partner of the deceased who qualifies as a legal dependant of the deceased and eventually allocating a share of the death benefit to her. Therefore, Ms Pollock was correctly identified as a spouse for the purposes of section 37C of the Act. In this circumstance, the complainant's view that Ms Pollock should not have been considered or at least receive a smaller portion of the death benefit, is misplaced."

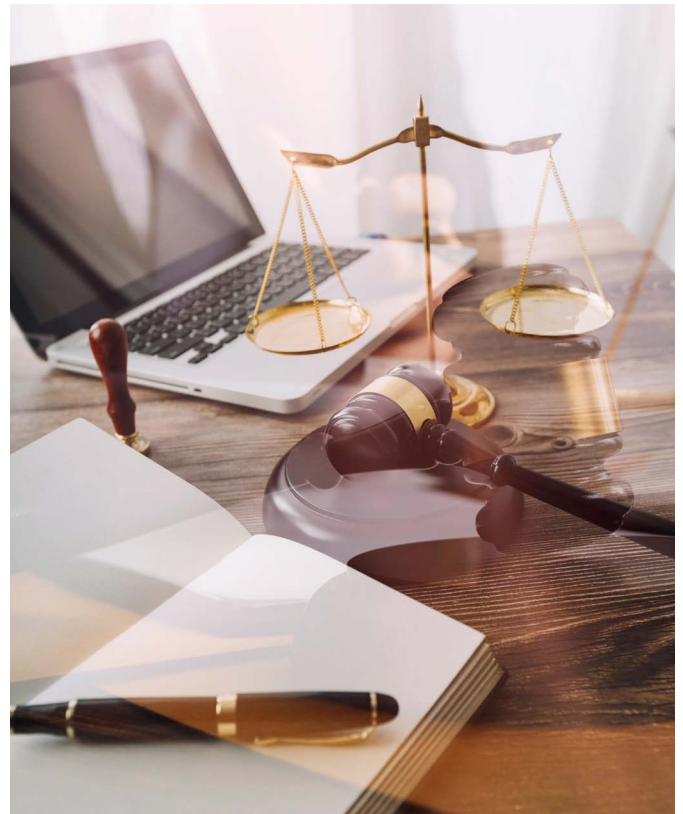
Each case must be treated on its own merits in assessing whether or not a claimant qualifies as a permanent life partner. Over the years the Adjudicator has decided many complaints involving disputes over life partnerships and important lessons can be gleaned by trustees from these rulings. In **Moche ("complainant") v FundsAtWork Pension Fund ("fund")**, the complainant disputed the fund's allocation of a benefit to the deceased's girlfriend who shared a common household with the deceased for more than five years. The complainant argued that there was no duty of mutual support between the deceased and the girlfriend and that in domestic relationships when the relationship ends, there is no continuous duty for the parties to support each other. The Adjudicator confirmed that the deceased's girlfriend was a dependant and qualified as a spouse/partner.

In another matter dealt with by the Adjudicator, **Du Toit (the complainant) v Lifestyle Retirement Annuity Fund** (the fund), the complainant disputed the fund's allocation of a benefit to the deceased's life partner on the basis that there was no legal marriage. However, the complainant confirmed that the deceased and her life partner shared a common household.

The Adjudicator confirmed that there is no need for a legal marriage to exist in order for a life partner to be recognised as such.

Conclusion

The boards of funds are entrusted with exercising their discretion when dealing with the distribution of the deceased’s member’s benefit. Section 37C of the Act serves a social purpose and intends to protect people who were dependent on the deceased during his lifetime and to ensure that they continue to be provided for. Matrimonial property regimes are irrelevant. It is all about dependency. Legal precedents, including rulings by the Adjudicator, dictate that cohabiting partners in committed relationships are entitled to be treated as life partners, and thus as beneficiaries, and can receive a portion or the entirety of the death benefit. In *Bwanyana v Master of the High Court, Cape Town and Others* [2021] ZACC 51, the Constitutional Court ruling extended inheritance rights to permanent life partners in intestate estates. This was later included in the definition of spouse in the Intestate Succession Act and other related Acts, further reinforcing that permanent life partnerships deserve legal protection, which influences how funds interpret “dependants” under Section 37C.



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Tshepo Marageni
Case Officer

My professional journey as a Case Officer

My professional journey as a Case Officer at the Office of the Pension Funds Adjudicator (OPFA) has been both intellectually enriching and deeply rewarding. In this role, I engage directly with the complexities of pension law, the principles of administrative justice, and the vital task of safeguarding members' rights within the retirement sector. As an admitted Advocate, the experience continually hones my legal reasoning and analytical skills, while reinforcing my commitment to fairness, diligence, and the pursuit of justice.

As a Case Officer, my core responsibility is to investigate and analyse complaints brought by members, beneficiaries, and participating employers against pension funds or their administrators. This work demands a rigorous examination of legal principles, fund rules, and the Pension Funds Act.

The role is inherently investigative in nature, requiring a proactive approach to gathering relevant information, assessing evidence, and engaging with parties to ensure that all material facts are placed before the Adjudicator.

The role requires the ability to assess facts objectively, identify legal issues, and prepare well-reasoned recommendations for determination. It also demands effective communication with all parties involved, ensuring that procedural fairness is upheld throughout the complaint resolution process.

My role is to make the Adjudicator's decisions stick:

As a Case Officer, I serve as the "engine room" of the OPFA, making sure the Adjudicator can meet the legal requirements of Section 30D of the Pension Funds Act. My job is to ensure that every complaint is handled speedily, fairly, and at no cost to the public. I don't just do paperwork; I dig for the truth to protect members and filter thousands of cases to keep the system moving. I ensure every investigation follows the "Audi Alteram Partem" rule (hearing both sides) and is legally sound to stand up legal scrutiny. I bridge the gap between a person's problem and a real legal solution, making sure the Pension

Funds Act actually works to protect people's life savings. My investigative work is pivotal in ensuring that the Adjudicator's decisions rest firmly on evidence and the full truth. This not only prevents cases from being overturned but also sustains efficiency in the adjudication process. This is important for the retirement sector because it holds funds and administrators accountable, forcing them to improve their standards and fix systemic mistakes.

While members and beneficiaries often face frustration when accessing their entitlements - whether at retirement or upon a member's death - it is a great hope to the public to see that we "the case officers" conduct deep, honest investigations which builds trust in the entire retirement system. By creating clear records and delivering fair outcomes, the role contributes to stability and predictability, ensuring that the retirement sector remains a reliable safeguard for South Africa's economy. By keeping clear records and ensuring fair outcomes, this role helps to keep the industry stable and predictable, ensuring that the retirement sector remains a reliable shield for the South African economy.

Experience Gained

Working at OPFA exposes me to a wide range of disputes, including issues relating to benefit allocation, withdrawal benefits, death benefit distribution, and fund governance. This diversity broadens my understanding of the practical application of pension law and administrative processes.

In addition, I continue to develop strong skills in legal drafting, critical thinking, and dispute resolution. The role also enhances my ability to interpret complex fund rules and apply them in a manner that is both legally sound and equitable.

Lessons Learned

One of the most valuable lessons I continue to learn is the art of balancing legal precision with fairness. The law provides a clear framework, yet each case carries its own human circumstances that demand sensitivity and care.

I also recognise the significance of patience and thoroughness. Investigating complaints often requires meticulous attention to detail and the ability to manage large volumes of information. Furthermore, I appreciate the role of clear and concise communication in ensuring that parties understand both the process and the outcome.

Daily Challenges

The role of a Case Officer is not without its challenges. Managing a high caseload while maintaining quality and consistency in work can be demanding. Many cases involve complex legal and factual issues requiring careful analysis within tight timeframes.

Another challenge lies in navigating emotionally charged matters, especially those involving death benefits or financial hardship. In such cases, it is vital to remain objective while still demonstrating empathy and professionalism.

Additionally, navigating incomplete documentation or uncooperative parties can delay the complaint resolution process, requiring persistence and effective problem-solving skills. Non-responsive employers or pension funds during investigations further impact on the statutory role of the Adjudicator as delays in obtaining necessary information hinder the efficient resolution of complaints and ultimately prejudice fund members seeking redress.

Consumer Education and Awareness

Despite the vital role played by the OPFA, there remains a significant need for improved consumer education regarding the functions of the Adjudicator, as well as the roles and responsibilities of pension funds and employers.

Many complaints stem from fund members’ limited understanding of their rights and the processes governing retirement funds. This highlights the urgent need for broader awareness initiatives to educate members on how pension funds operate, the benefits to which they are entitled, and the steps available when disputes arise. Greater knowledge empowers members to assert their rights, reduces avoidable conflict, and strengthens confidence in the retirement system as a whole.

Improved consumer education would not only empower members to make informed decisions but also contribute to a reduction in avoidable disputes. It would further enhance trust in the retirement fund system and promote greater accountability among all stakeholders.

Conclusion

My journey as a Case Officer at the OPFA continues to shape my professional identity. It deepens my understanding of pension law, sharpens my advocacy skills, and reinforces my commitment to justice and fairness. This role challenges me to grow not only as a legal practitioner but also as an individual, instilling resilience and perspective. I am confident that the experience I am gaining will serve as a solid foundation for my ongoing career as an Advocate.

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PFA | 1998

The financial sector ombud system - no lawyers needed, easy to use, and available in your own South African language! Financial ombuds are overseen by the Ombud Council.

Ombud Council



Inside the Financial Ombud System’s Strong start to 2026

As the new financial year gains momentum, collaboration across South Africa’s financial ombud system continues to lay a strong foundation for greater consumer awareness, accessibility, and effective dispute resolution.

The year commenced with a series of strategic engagements, including the Communications Strategy Meeting, where representatives of the financial ombud schemes, including the Office of the Pension Funds Adjudicator (OPFA), came together to strengthen cooperation, align messaging, and identify opportunities for impactful joint initiatives in the year ahead.

These engagements reinforced a shared commitment to ensuring financial customers understand both their financial rights and the dispute resolution channels available to them.

This collaborative approach was reflected in the joint Valentine’s Month social media campaign, followed by the World Consumer Rights Day and Month campaign, which amplified consumer education and awareness through shared messaging and digital engagement.

Public awareness efforts were further strengthened through the broader Financial Ombud System digital media campaign, which ran across digital newspapers and social media platforms to increase public awareness of the financial ombud system, and the services offered by ombud schemes, including the OPFA. The campaign was further supported by a digital and static billboard rollout across five provinces in high traffic areas such as taxi ranks and shopping malls. Billboards featuring the OPFA was flighted in Mpumalanga and the Northern Cape, to help improve awareness and accessibility within underserved communities.

In addition, the campaign extended to radio through targeted engagements on local-language South African radio stations, aimed at reaching customers in their preferred languages. As part of this initiative, the OPFA’s Thamsanqa Maphasa was featured on Lesedi FM, a Sesotho speaking SABC radio station, where listeners were educated on pension-related complaints, consumer rights, and available dispute resolution mechanisms.

Adding to this momentum, the Ombud Council, the OPFA and other financial ombuds participated in the 2026 Rand Show, one

of the country’s largest consumer exhibitions. The exhibition created valuable opportunities for direct public engagement, allowing consumers to learn more about pension-related complaints, retirement savings protection, and available dispute resolution mechanisms, as well as the oversight powers of the Ombud Council.

Another major milestone came in March 2026 with the publication of new binding rules by the Ombud Council under the Financial Sector Regulation Act. The rules are aimed at improving the efficient and cost-effective resolution of pension disputes, with greater emphasis on conciliation, formal complaint processes, and the management of premature complaints.

Together, these developments signal a promising year ahead for the financial ombud system, one focused on stronger collaboration, greater accessibility, and improved consumer protection.

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Ombud Council
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This #MonthOfLove, take time to understand your pension or provident fund benefits and your rights as a member.

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Fair, free and impartial dispute resolution through the financial ombud schemes

PFA Pension Funds Adjudicator
OPFA Office of the Pension Funds Adjudicator
NFO National Financial Ombud Scheme
FAIS Ombud



Driving accountability through stakeholder engagement

The final quarter of the 2025/26 financial year was defined by extensive stakeholder engagement, nationwide outreach initiatives, and strengthened accountability measures to sustain collaboration across the retirement fund industry.

Under the leadership of the newly appointed Pension Funds Adjudicator, Lebogang Mogashoa, the OPFA maintained an active presence across the financial services and retirement fund industry. From boardroom deliberations and industry conferences to community outreach and media engagement, the quarter reflected a deliberate strategy to deepen stakeholder engagement, broaden the organisation’s reach, and reinforce its role as a champion of accountability and accessibility within the sector.

Strengthening Industry Engagement

One of the quarter’s key engagements was a meeting between the Adjudicator and the Liberty Life Lifestyle Funds Board, where issues affecting members and how the OPFA can support fair outcomes were discussed.

The meeting highlighted the importance of open communication between the OPFA and boards of trustees, particularly as members and their beneficiaries continue to expect greater transparency and accountability from trustees, administrators, and other stakeholders.

This spirit of collaboration continued at the Financial Services Conduct Authority (FSCA) Industry Conference 2026, where regulators, industry leaders, and financial sector experts gathered to unpack developments shaping the future of financial conduct and regulation. Discussions ranged from artificial intelligence integration and fintech innovation to broader concerns around consumer financial health and inclusion. Participation in the conference provided the OPFA with an opportunity to engage directly with key stakeholders, gain insight into emerging regulatory trends, and contribute to discussions on strengthening consumer protection within the retirement fund industry.

The quarter also included an Ombud Council on-site supervisory inspection, providing the OPFA with an opportunity to showcase its operational processes, institutional progress, service delivery, and strategic priorities.

The engagement formed part of the broader oversight framework aimed at strengthening accountability and public confidence in South Africa’s financial ombud system.

Taking a firm stand on non-compliance

A particularly notable moment during the quarter came at the 30th Annual Pension Lawyers Association (PLA) Conference, where the Adjudicator delivered an update on challenges facing the retirement fund industry.

In his address, the Adjudicator voiced grave concern over the persistent failure of retirement funds and administrators to respond adequately - or at times, at all - to complaints lodged with the OPFA. As a decisive measure, he announced that Senior Counsel had been engaged to advise on the application of Section 30J of the Pension Funds Act.



Mr Lebogang Mogashoa addressing attendees at the 30th PLA Conference.

This provision could empower the OPFA to issue summonses and subpoenas against non-compliant funds and administrators. Crucially, failure to comply with such directives would not merely be a procedural lapse, but could amount to a criminal offence.

The Adjudicator also highlighted the concerning trend within the complaints landscape: 51% of finalised complaints during the last financial year related to Section 13A non-compliance, where employers failed to pay pension contributions deducted from employees' salaries into retirement funds. This points, he said, to the continued financial vulnerability many workers face when employers fail to meet their obligations.

Increasing OPFA's National Footprint

While industry engagement remained a priority, the OPFA continued to expand its public outreach efforts, ensuring that awareness and education reach communities beyond traditional spaces.

Over the quarter, the office participated in several outreach initiatives across the Western Cape, Northern Cape, KwaZulu-Natal, Mpumalanga, and Gauteng. These engagements provided members of the public with opportunities to interact directly with OPFA representatives, gain a better understanding of the complaints process, and become better informed about their consumer rights.

Financial literacy remained a central focus throughout these efforts, with the OPFA participating in the Banking Association South Africa (BASA) and FSCA Financial Literacy Workshop held in Kathu during Global Money Week, as well as the KwaZulu-Natal Joint Municipal Pension/Provident Funds (NJMPF) Annual Information Workshop. In addition, participation in the South African Municipal Workers' Union (SAMWU) 13th National Congress provided an opportunity to engage directly with workers and pension fund members on issues relating to pension rights and the role of the OPFA. These initiatives targeted underserved communities and young consumers, raising awareness of OPFA services.

The OPFA's public visibility also grew significantly during the quarter, with Advertising Value Equivalent (AVE) exceeding R3 million. This exposure was driven by several interviews across platforms such as SAFM, Kaya FM 95.9, Radio Islam, and Lesedi FM. Discussions covered a range of issues, from the OPFA's complaint resolution process to consumer education on recently published determinations addressing delayed benefit payments, failure to trace beneficiaries, negligent fund administration, and payments made in error. Collectively, these engagements conveyed a clear message: pension funds and administrators are expected to act proactively, transparently, and in their members' best interests.

As the new financial year begins, the OPFA stands well positioned to consolidate the progress achieved in the past quarter. The breadth of its engagements across the financial services and retirement fund industry, communities, and media platforms reflects an organisation committed not only to resolving disputes but also to shaping a more proactive, responsive, and accountable ombud.

The momentum gained to date provides a solid foundation for ensuring fair and equitable outcomes for members and beneficiaries.

Members of the public can contact the OPFA for assistance or to lodge a complaint via its website at www.pfa.org.za, by email at enquiries@pfa.org.za, or by calling the toll-free number on 0800 744 444.



Mr Silas Mothupi conducting a presentation to delegates during the NJMPF Annual Information Workshop.



Mr Tshepang Monare informing students about OPFA services and graduate opportunities during the UP Law Career Day.



Mr Lesly Ratsebe explains the mandate of the OPFA during an outreach at Kathu Village Mall in the Northern Cape.

HERE'S A STEP-BY-STEP GUIDE TO CHECK THE COMPLAINT STATUS ONLINE:



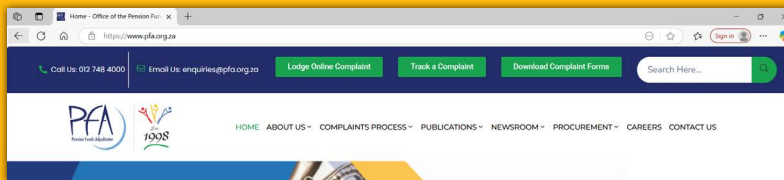
HOW TO LODGE A COMPLAINT WITH THE OPFA

The OPFA's services are provided free of charge. A complaint must be lodged using an official complaint form.

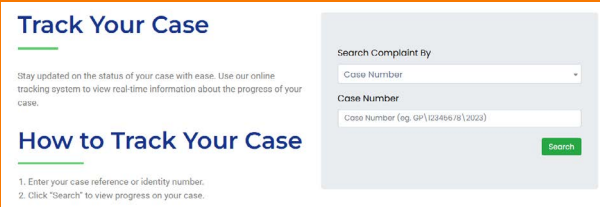
You may lodge a complaint in one of the following ways:

- **Visit our offices at:**
4th Floor, Block A, Riverwalk Office Park, 41 Matroosberg Road, Ashlea Gardens, Pretoria, 0181
- 110 Oxford Road, Houghton Estate, Johannesburg, Gauteng, 2198
- **Submit your complaint online:**
<https://www.pfa.org.za/submit-a-complaint/>
- **Email your complaint to:**
enquiries@pfa.org.za
- **Fax your complaint to:**
086 693 7472
- **Post your complaint to:**
Office of the Pension Funds Adjudicator, PO Box 580, Menlyn, 0063
- **For queries contact:**
012 748 4000 / 0800 74 44 44

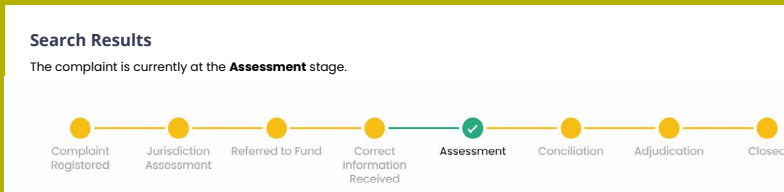
01 Go to the OPFA website <https://www.pfa.org.za/> and click Track a Complaint.



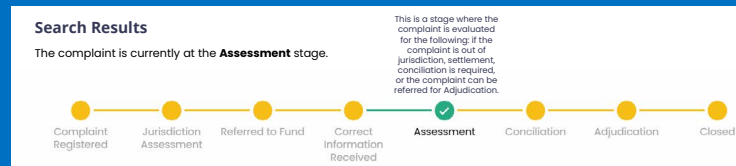
02 Enter the ID/Passport Number or case reference number and Search.



03 The current stage of the case will be displayed.



04 Refer to the complaint stages for more information about the stage of the complaint.



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