



---

## **INVITATION TO COMMENT**

### **DRAFT GUIDELINES ON THE EXERCISE OF POWERS BY THE PENSION FUNDS ADJUDICATOR UNDER SECTION 30J (3) OF THE PENSION FUNDS ACT, 1956**

---

#### **1. INTRODUCTION**

The Office of the Pension Funds Adjudicator (“OPFA”) publishes for public comment the Draft Guidelines on the Exercise of Powers by the Pension Funds Adjudicator under Section 30J (3) of the Pension Funds Act, 1956 (“the draft Guidelines”). These Guidelines are issued to provide guidance on the manner in which the Adjudicator may exercise the powers contemplated in Section 30J of the Pension Funds Act 24 of 1956 (“the Act”).

#### **2. BACKGROUND**

**2.1** The OPFA is a statutory ombud scheme established under section 30B of the Act. In terms of section 30J(3) of the Act, the Pension Funds Adjudicator (“the Adjudicator”) is empowered to apply sections 1,2,3,4 and 6 of the Commissions Act, 1947 with the necessary changes for the purposes of investigating the complaint.

**2.2** The draft Guidelines aim to clarify procedural matters when the OPFA invokes the provisions of the Commissions Act.

### **3. KEY PROVISIONS OF THE DRAFT GUIDELINES**

The draft Guidelines address, among others, the following:

- The process for issuing and serving summonses including the circumstances in which a summons may be issued and the information that should be included in a summons.
- The obligations of persons who are summoned to appear before the Adjudicator or produce material relevant to an investigation.
- The procedure to be followed during proceedings, including the taking of oaths or affirmations, questioning of witnesses, production of material and management of preliminary issues such as privilege, confidentiality and postponements.
- The treatment of confidential, privileged, commercially sensitive or personal information.
- Consequences of non-compliance with a summons or failure to co-operate with proceedings, and the possible enforcement steps to address non-compliance.

### **4. DOCUMENTS ACCOMPANYING THIS INVITATION**

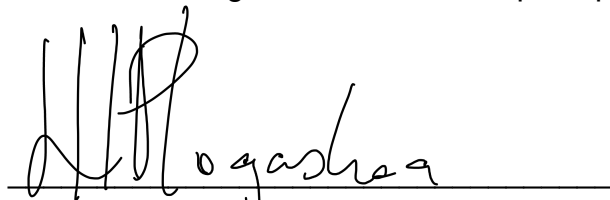
**4.1** Draft Guidelines on the Exercise of Powers by the Pension Funds Adjudicator under Section 30J (3) of the Pension Funds Act, 1956.

**4.2** Annexure A - Schedule A: Forms and Summons.

**4.3** Comments Template (in Word format).

### **5. SUBMISSION DEADLINE FOR COMMENTS**

The OPFA invites interested parties to submit written comments on the Draft Guidelines using the comments template provided, on or before **1 September 2026**.

A handwritten signature in black ink, appearing to read 'L. Mogashoa', is written over a horizontal line.

**LEBOGANG MOGASHOA**

**PENSION FUNDS ADJUDICATOR**

**DATE: 12 AUGUST 2026**