

PENSIONER NEWSLETTER



JULY 2019

Dear Pensioner

The primary purpose of the LA Retirement Fund is to provide the best possible retirement outcome for all our members, retirees and pensioners. By participating in the 2019 pensioner trustee election process you have the opportunity to ensure that your interests are adequately represented and to make your vote count!

“If everyone is moving forward together, then success takes care of itself.”
Henry Ford

One vacancy for a pensioner trustee needs to be filled by 01 January 2020 as Mr Piet Esterhuizen’s term as pensioner trustee will end on 31 December 2019. Mr Esterhuizen has confirmed that he is available for re-election.

The Board of Trustees direct, control and oversee the business of the Fund in accordance with the applicable laws and the provisions of the Rules. The current board is comprised as follows:

Two Member Trustees	Two Pensioner Trustees	Two Councillor Trustees	Two Additional Trustees
Ms Michelle Van Zyl Mr Danie Carstens	Mr Piet Esterhuizen Mr Jan van den Berg	Mr Wouter Meiring Mr Solomon Philander	Mr Herman Botha Mr Johan Jacobs
Elected by active members (including disability claimants, in-fund living annuitants, deferred/paid-up members and members who have postponed their retirement from the fund)	Elected by pensioners	Appointed by the Local Authority with the highest Fund membership and the other Councillor Trustee elected by the Local Authorities	Suitably qualified individuals appointed by the Board of Trustees as additional trustees

THE ELECTION PROCESS

The election process consists of two phases:

Phase 1: Nomination

You nominate a candidate that you feel would best represent you!



Phase 2: Voting

You will receive a list of all the valid nominated candidates. Vote for the one you feel will best represent you!

This process will run over the next few months and will be implemented as follows:

30 Aug 2019

Closing date for nominations

14 Oct 2019

Dispatch ballot forms

22 Nov 2019

Closing date for return of ballot forms

29 Nov 2019

Results confirmed by auditors and Board is informed

6 Dec 2019

Inform all nominated candidates

1 Jan 2020

Term of office begins

WHAT DO YOU NEED TO DO?

Step 1: Understand the role of a trustee

Duties of a trustee: The duties can be accessed on the Fund's website (www.laretirementfund.co.za) or can be obtained from the Fund Support Services Centre. In summary they are as follows:

- Take all reasonable steps to ensure that the interests of members in terms of the Rules of the Fund and the provisions of the Act are protected at all times;
- Act with due care, diligence and good faith;
- Avoid conflicts of interest;
- Act independently;
- Act with impartiality in respect of all members and other beneficiaries;
- Ensure that proper accounts, entries, registers and records of the operations of the Fund are kept;
- Ensure that adequate and appropriate information is communicated to the members and other beneficiaries informing them of their rights, benefits and duties in terms of the Rules, subject to such disclosure requirements as may be prescribed;
- Ensure that contributions are paid timeously to the Fund in accordance with the Rules and the Act;
- Obtain expert advice on matters where the Board of Trustees lacks sufficient expertise;
- Ensure that the Rules and the operation and administration of the Fund comply with all applicable legislation and any legally binding ruling laid down by the Registrar or the revenue authorities;
- Keep registers containing the information prescribed by the regulations to the Act at the Fund's registered office;
- Determine the manner of dealing with expenses of the Fund not provided for in the Rules;
- Ensure that the assets of the Fund are kept in the name of the Fund or in the name of a nominee company approved by the Registrar;
- Arrange for the safekeeping of all title deeds and other securities belonging to or held by the Fund and for the marking of those documents so as to easily establish at any time that the documents belong to or are held by the Fund; and
- Comply with any other prescribed requirements.

The Board of Trustees currently meets once every second month for a two-day Board meeting and the trustees appointed to the Audit Sub-Committee are required to attend three annual sub-committee meetings.

Step 2: Consider a candidate who you feel would best fulfil this role

Do you know anyone who is capable of representing the pensioners, including yourself, and who wishes to serve on the Board of Trustees?

When nominating remember that your candidate must be willing to serve for a 5 year term of office and the following exclusions apply:

In terms of Rule 14.3 of the Rules of the Fund, any person who is ineligible to be, or disqualified from being a director of a company in terms of the Companies Act, 2008, may not be appointed, be elected or act as a trustee. This includes, amongst others, the following persons:

- a) A juristic person;
- b) A minor or a person under legal disability;
- c) An un-rehabilitated insolvent;
- d) Any person who has been removed from an office of trust on account of misconduct; and
- e) Any person who has been convicted by a court of law, in South Africa or elsewhere, for theft, fraud, forgery, perjury or an offence involving fraud, misrepresentation or dishonesty, or an offence in connection with the promotion, formation or management of a company, subject to relevant legislation with regard to the disregarding of certain convictions which occurred prior to 1994.

PLEASE NOTE: An induction programme, ongoing trustee training and access to self-study will be made available to the newly elected trustee. The newly elected trustee will be required to comply with the prescribed training requirements applicable to trustees.

Step 3: Nominate your candidate

- A nomination form is attached to this notice to allow pensioners to nominate one candidate for the pensioner trustee vacancy. Child pensioners cannot participate in this nomination process.
- Please fax your nomination form to the Fund on (021) 917 4114, scan and e-mail the completed form to support@laretirementfund.co.za or deliver it in person to the Fund Services Centre.
- All nominations must be received by the Fund before the closing date, Friday 30 August 2019 at 16h00.
- Each nominated candidate must accept the nomination in writing and the nomination must be supported by signatures from two other pensioners (i.e. seconders).
- Nominated candidates do not have to be pensioners of the Fund. Pensioners may nominate any individual/s who is/are capable of representing the pensioners.
- The nominated candidates may be telephonically interviewed by the Principal Officer. The seconders will be screened by the Fund to confirm their Fund membership.
- Should only one nomination be received, no election will be necessary as the nominated candidate will automatically qualify to become a trustee.



2019 PENSIONER TRUSTEE ELECTION NOMINATION FORM

DETAIL OF THE PENSIONER MAKING THE NOMINATION

DATE: _____
 PENSIONER'S NAME: _____
 ADDRESS: _____
 PENSION NUMBER: _____
 PENSIONER'S SIGNATURE: _____

I WISH TO NOMINATE THE FOLLOWING CANDIDATE AS A PENSIONER TRUSTEE

FULL NAME OF THE CANDIDATE: _____
CANDIDATE'S PENSION NUMBER (if applicable): _____
CANDIDATE'S IDENTITY NUMBER: _____
CANDIDATE'S CONTACT TELEPHONE NUMBER: _____

I, the above nominated candidate hereby accept the nomination to stand for election to serve as a pensioner Trustee of the LA Retirement Fund. I confirm, to the best of my knowledge, that I am not disqualified from holding the office of a Trustee. If elected, I agree to comply with the prescribed training requirements applicable to Trustees.

Signature

WE SUPPORT THE ABOVEMENTIONED NOMINATION

(Please note that this nomination will not be accepted unless this section is fully completed by two other Fund pensioners)

Full Name	Signature	Pension Number	Contact telephone number
1.			
2.			

RULES OF THE ELECTION

- Each pensioner may nominate one (1) candidate. Child pensioners are not allowed to participate in the nomination or election process. If you submit more than one nomination, only the most recent nomination will be included.
- Candidates do **not** need to be pensioners of the Fund.
- The nominated candidate must accept the nomination in writing and must be supported by signatures from two other pensioners of the Fund.
- Your nomination must reach the Fund **by no later than 16h00 on Friday 30 August 2019** – please fax your Nomination Form to the Fund on (021) 917 4114 or scan and e-mail the completed form to support@laretirementfund.co.za.
- The nominees will be contacted and requested to supply a brief CV (no more than 100 words) and their recent ID photograph, which will be published at the time of the election.
- If two or more valid nominations are received, ballot forms inclusive of the eligible nominated candidates' details will be sent to pensioners to facilitate the voting process. One vote per eligible pensioner is allowed. Voting closes at **16h00 on Friday 22 November 2019**.
- The overall election process is monitored by the Principal Officer, in her capacity as the Election Officer, and the Fund's auditors will verify and count the ballot forms.
- The nominated candidate with the most votes will become a pensioner Trustee. The term of office will be five (5) years commencing on 1 January 2020.