

HIGHER EDUCATION

University Attended	:	University of Cape Town (UCT) (1992-1996) & (2003-2004)
Degrees Obtained	:	Bachelor of Arts (BA Law) (1992-1994)
	:	Bachelor of Laws (LLB) (1995-1996)
	:	School for Legal Practice (1997)
	:	Master of Laws (LLM) (2003-2004)

ADMISSION DATES

Admitted as Attorney in the Cape High Court on 4 September 1998

Admitted as Conveyancer in the Cape High Court on 4 December 1998

WORK EXPERIENCE

11 February 2008 – To date – Momentum Metropolitan Life Limited – Legal Advice Manager

With effect from 11 February 2008, I joined the legal department of Momentum. My primary task is to provide legal opinions on all issues affecting retirement funds and group insurance schemes such as permanent health insurance, group life assurance etc. Currently, responsible for the preparation of responses to be submitted to the OPFA and Long-Term Insurance Ombudsman and court litigation matters. Also, the manager of the Legal Advice section within the Legal Department.

1 February 2008 – To date – UCT - Adjunct Professor and UWC - Senior Lecturer (2008 – 2009)

With effect from 1 March 2008, appointed as an Adjunct Professor by UCT (Commercial Law Department). Presented pension law courses as part of the Social Security Law Course as well as Continuing Legal Education programme. On 1 February 2008, appointed as a Senior Lecturer by the School of Business (UWC) and presented the course "Principles of Long-Term Insurance and Retirement Funds" to BCOM honours and undergraduate students in 2008 and 2009.

1 August 2004 – 31 December 2008 – Office of the Pension Funds Adjudicator – Deputy Adjudicator

With effect from 1 August 2004, I was promoted to the position of Deputy Adjudicator. I was responsible for the preparation of all merit judgments before final submission to the Adjudicator. I supervised the New Complaints Unit in both the Cape Town and Sandton offices. I also co-ordinated the public awareness program of the OPFA and was responsible for managing and co-coordinating all information about the OPFA. In addition, I have published several articles on pension law and have conducted various training sessions for advocates and attorneys. I have designed and presented a short course in pension law for both under and post graduate students at various law faculties and have guest lectured at many of the Schools for Legal Practice and presented papers at various conferences/seminars/workshops.

1 March 1999 - 31 July 2004 - Office of the Pension Funds Adjudicator – Assistant Adjudicator

Started as an Investigator on 1 March 1999 under the former Adjudicator Professor John Murphy. My primary task was to conduct investigations on behalf of the OPFA and prepare reports (in the form of draft adjudication awards) in respect of each investigation. Assisted counsel in those matters taken on appeal and where the OPFA decided to defend the matter either on the merits of the dispute or the jurisdiction point. Also researched several areas of the law, especially where there was no case authority on the legal principle to be determined.

Achievements

- Dean's Merit List (UCT) - 1996
- Merit Award for achieving the highest mark in commercial litigation at the School for Legal Practice – 1997
- Merit Award for completion of School for Legal Practice with distinction – 1997
- Received distinction for thesis on section 37C and the difficulties it creates for trustees – 2004
- Included in Financial Mail's Black Book (2007/2008/2009)

Articles Published

1. **"Amendments to the Pension Funds Act"** – Naleen Jeram & Nuku Van Coller 2003 – unpublished paper submitted to National Treasury.
2. **"Modes of Payment"** – *Insurance and Tax* Vol.19 No. 4 December 2004 pp 3 - 5.
3. **"Death Benefits for Nominee Beneficiaries"** – *Pensions World of South Africa* December 2004, pp 34 – 35.
4. **"Investment Returns in Pension Funds: The Use of the Final/Interim Bonus Rate System"** *Industrial Law Journal* Vol. 26 January 2005 pp 27 – 32.
5. **"An Introduction to Pensions Law"** edited by Naleen Jeram 31 January 2005 pp 1 - 93.
6. **The Pension Funds Adjudicator – A Jurisdictional Nightmare** – *Industrial Law Journal* Vol.26 October 2005 pp 1825 - 1852.
7. **"Comparative Analysis of the South African and Australian Adjudicators"** - *Pensions World of South Africa* June 2006 pp 44 - 47.
8. **Pension Law Columns** published in the Citizen Newspaper and Moneyweb website 2006 & 2007.
9. **"Interest on the Late Transfer of Withdrawal Benefits"** *Industrial Law Journal* Vol. 28 January 2007 pp 86 – 90.
10. **"What can you Complain about?"** *IRF Focus* June 2007 pp 13 – 15.
11. **"Spot the Difference"** *Today's Trustee* September/October 2007 p 36.

12. **“Participating Employers under Scrutiny in Disability Claims”** Industrial Law Journal Vol.29 January 2008 pp 51 – 57.
13. **“Pension Law – a Basic Guide (part 1)”** Insurance and Tax Vol.23 No.1 March 2008 pp 25 – 52.
14. **“Pension Law – a Basic Guide (part 2)”** Insurance and Tax Vol.23 No.2 June 2008 pp 3 – 27.
15. **“Investment Switching in Retirement Funds – the Legal Consequences”** Industrial Law Journal Vol.29 October 2008 pp 2427 - 2439.
16. **“Disability Benefits Paid by Retirement Funds”** Insurance and Tax Vol.23 No.4 December 2008 pp 24 - 34.
17. **“Power of Withholding a Pension Benefit Confirmed by Supreme Court of Appeal”** Industrial Law Journal Vol. 30 April 2009 pp 804 – 813.
18. **“Benefits Payable by Retirement Funds”** De Rebus May 2009.
19. **“Divorce Benefits – Ringing the Changes”** Today’s Trustee June/August 2009 pp 34 – 35.
20. **“Retirement Funds must Institute Civil Actions Timeously”** Pensions World of South Africa January 2010.
21. **“Jurisdiction of the Pension Funds Adjudicator in respect of complaints directed against underwriting insurers in retirement funds confirmed by SCA”** Insurance and Tax Vol. 25 No. 4 December 2010 pp 3 – 11.
22. **“The Pension Funds Adjudicator’s Jurisdiction over Labour/Employment Issues in Retirement Funds – A Return to the Original Position”** Industrial Law Journal Vol 35 April 2014 pp 918-925.
23. **“A Warning to all Maintenance Court Officials”** De Rebus September 2014 pp 43-44.
24. **“Time for a change to payment of minors’ death benefits”** Insurance and Tax December 2014.
25. **“The Recovery of Monies from Pension Benefits, Criminal versus Civil Proceedings – which way to go?”** Contemporary Labour Law Vol.25 No.10 May 2016 pp 110-113.
26. **“Is it still necessary to obtain a court order against a fund? A Rebuttal”** De Rebus June 2017 pp 28-32.
27. **“Disposition of lump sum benefits in terms of section 37C: An analysis of the case law”** in the Manual on South African Retirement Funds and Other Employee Benefits – Hanekom – general editor [2023] LexisNexis – online edition.
28. **“Spouse’s and child’s pensions – an examination of the key requirements”** in the Manual on South African Retirement Funds and Other Employee Benefits – Hanekom – general editor [2023] LexisNexis – online edition.
29. **“A comparison of the regulation of death benefits in occupational pension arrangements in South Africa, Germany and France”** International Pension Lawyer June 2020.

Papers Presented at Conferences

1. Pension Lawyers Annual Conference – 6 March 2006 – **“The Pension Funds Adjudicator v Australian Superannuation Complaints Tribunal”**
2. Principal Officers Association Annual Conference – 21 June 2006 – **“Duties of Participating Employers in Pension Funds”**
3. Association of Collective Investment Schemes Convention – 3 August 2006 – **“Rights of Consumers”**
4. Financial Planners Institute – 3 November 2006 – **“Retirement Annuity Fund and other Important Rulings”**
5. The Association of Black Securities and Investment Professionals – 30 November 2006 – **“Case Law Update from OPFA”**
6. Coronation Fund Managers Conference – 1 March 2007 – **“Duties and Obligations of Pension Fund Trustees”**
7. Annual Labour Law Conference – 6 July 2007 - **“Pension Dispute Resolution”**
8. Pension Lawyers Association Seminar - 9 September 2008 - **“Disability Benefits”**
9. Pension Lawyers Annual Conference – March 2009 – **“Investment Switches”**
10. Pension Lawyers Annual Conference – March 2010 – **“Mungal Ruling and its Effects from a Jurisdiction Point of View”**
11. Miller Du Toit/UWC (Law Faculty) Family Law Conference – 18 March 2011 – **“Divorce Benefits Payable by Retirement Funds”**
12. Pension Lawyers Annual Conference – 27 February 2012 - **“Disability Benefits”**
13. Pension Lawyers Annual Conference **“Death Benefits update”** - 3 March 2014
14. Pension Lawyers Conference Seminar - **“Problem areas in section 37C cases”** - 2 October 2014
15. Institute of Retirement Funds Annual Conference - **“Delegation of Duties of Board of Management”** – September 2014
16. Pension Lawyers Annual Conference - **“Unresolved/Controversial Issues in the Payment of Death and Divorce Benefits”** - 2 March 2015
17. Pension Lawyers Annual Conference – **“Deduction for Dishonest Conduct – Withholding of Pension Benefits”**- 29 February 2016
18. Pension Lawyers Annual Conference – **“Divorce Benefits – Current Undecided Issues”** 6 March 2017
19. Pension Lawyers Annual Conference – **“Death benefits and the Current Issues”** May 2021