



## RULINGS ISSUED BY THE OFFICE OF THE REGISTRAR

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## M v GEMS

The Complainant was aggrieved that the Scheme declined to lift his membership suspension. He therefore requested the Registrar to intervene.

In its response to the complaint, the Scheme submitted that the Complainant failed to comply with its request to submit documentation to show that his dependant was registered with a recognized tertiary institution because she was over 21 years of age. It indicated that his dependant's membership was then suspended effective April 2021 pending receipt of the requested information. It averred that the Complainant then requested the Scheme to terminate his dependant's membership in December 2022. It indicated that the request was acceded, and the termination was effected and backdated to March 2021. It averred that pursuant to the termination of the dependant's membership, the Complainant's contribution was adjusted accordingly. That no arrears on the membership were applicable. The Scheme stated further that after the termination, the Government Pension Administration Agency (GPAA) then recouped a subsidy allowance for the dependant in the amount of R17 657.75 in October 2023 which subsidy portion resulted from the backdated termination. That the claw back decision resulted in an outstanding debt in the amount of R15 783.00 to the Complainant. It stated that following receipt of proof of study of the dependant it confirmed that her graduation date was in March 2022 and terminated dependant effective the same date. That the amended termination resulted in a reduction of his arrear contributions to R10952.25. It averred that the Complainant was suspended effective December 2023 as a result of the outstanding contributions.

Upon investigation, the submissions made by both the Complainant and the Scheme were reviewed by the Registrar. The Registrar then Registrar requested the Complainant to provide comment to the Scheme's assertion that it suspended him due to unpaid contributions and he failed to file a reply. Therefore, it was concluded that the Scheme's decision to suspend the Complainant was correct. That he failed to comply with the scheme's rules on payment of contributions. It was then determined that the Scheme's decision was compliant with the Act, and the registered scheme rules.

A ruling was therefore issued confirming that the Scheme's decision was compliant with the Act.  
The complaint was accordingly dismissed.