



DEATH & DISABILITY

DISABILITY

Where the member becomes disabled, due to:

1. Physical; or
2. Mental infirmity

Then he/she becomes entitled to receive his/her contributions in full provided that it is either a **permanent** or **total** disability (s.90(1)(d)).

That criteria can only be established through a proper certification procedure that will be prescribed by the Regulation to the Act.

Until that happens members are required to comply with the following rule:

Obtain two separate Medical Reports that corroborates the other in respect of:

- The nature of the disability; and
- Whether its total or partial; or
- Whether its permanent or temporary

An ASF reserves the right to obtain a separate Medical Report to verify the condition of the member. Member's contributions will only be paid out where two separate Medical Certificates corroborates the other that there is either a permanent or total physical or mental disability.

DEATH

Upon the death of a member, an ASF shall pay to the nominated beneficiaries the deceased members contributions in accordance with the nomination made by the member.

To avoid disputes between family members of the deceased over paying out the contributions to the rightful beneficiary you should review your nomination forms regularly. This should include updating the nomination forms upon marriage or separation or upon birth of a child or death of a nominee.

In each of those cases, the following rules apply.

- (a) Where there is a nomination form existing than the contributions must be paid to those nominees in accordance with the nomination.
- (b) Where there is a nomination existing but it relates only to a part of the members contributions (eg. 50%) then:
- The part to which the nomination relates must be paid in accordance with the nomination; and
 - The part to which the nomination does not apply must be paid in accordance with custom or a decision of the court.
- (c) The Contributions will be paid in accordance with custom or a decision of the court under the following circumstances:
- No valid nomination exists; or
 - No nomination was made; or
 - None of the nominees named are alive
- (d) If with the application of the rules, the dispute cannot be resolved, than the deceased members contributions will be paid to the Public Curator for distribution in accordance with the provisions of the *Wills Probate and Administration Act Chapter 291*.

DECEASED CONTRIBUTIONS SUMMARY FLOW CHART

