THE FINANCIAL SERVICES TRIBUNAL

Case No. PFA81/2026

In the matter between:

TARUN LOGISTICS (PTY) LTD	Applicant
and	
R DU PREEZ	First Respondent
THE PENSION FUND ADJUDICATOR	Second Respondent
THE TRANSPORT SECTOR RETIREMENT FUND	Third Respondent

TRIBUNAL PANEL: PJ Veldhuizen and LTC Harms

Appearance for Applicant: n/a

Appearance for Respondent: n/a

Date of hearing: n/a

Date of Decision: 20 November 2026

Summary: Reconsideration of a decision of the Pension Funds Adjudicator (30M) in terms of Section 230 of the Financial Sector Regulation Act 9 of 2017.

DECISION

A: INTRODUCTION

1. The Applicant is Tarun Logistics (Pty) Ltd ("the Applicant").

2. The First Respondent is R Du Preez ("the Employee / Complainant").

3. The Second Respondent is the Pension Funds Adjudicator ("the Adjudicator").

4. The Third Respondent is the Transport Sector Retirement Fund (“the Fund”).

5. This is an Application in terms of Section 230 of the Financial Sector Regulation Act 9 of 2017 against the decision taken by the Adjudicator, pursuant to a complaint laid in terms of Section 30M of the Pensions Fund Act 24 of 1956 ("the PFA").

6. Section 230 of the Financial Sector Regulation Act 9 of 2017 ("the FSR Act") provides the basis for the Applicant to lodge this Application for reconsideration and seek appropriate relief.

B: THE FACTS AND THE COMPLAINT

7. The Employee lodged a complaint with the Adjudicator concerning the Applicant's failure to register him with the fund in a timely manner and remit all Provident Fund contributions.

8. The employee submitted to the Adjudicator that he became aware he was not registered with the Fund only in January 2026, despite having been employed by the employer since 2021. The Applicant was given an

opportunity to comment on what could have been considered facts giving rise to a time bar, but provided no comments in this regard.

9. The Adjudicator concluded that the appropriate remedy was to put the First Respondent in the position he would have been had the Applicant timely registered him with the Fund and paid all contributions due on his behalf. In this regard, the Adjudicator ordered *inter alia* as follows:

9.1 The Fund is ordered to register the complainant as its member, effective from 1 December 2021, within two weeks of this determination.

9.2 The employer is ordered to pay the fund R48,975.48 in respect of provident fund contributions owed on behalf of the complainant for January 2018 to February 2025.

9.3 The fund is ordered to recalculate the late payment interest on the arrear amount in terms of section 13A (7) of the PFA and provide it to the employer for payment.

9.4 The complainant is directed to complete a withdrawal claim form and submit same to the fund through the electronic mail system together with a copy of his identity document and bank statement not older than three months.

9.5 The fund is ordered to pay the complainant a withdrawal benefit within two weeks based on the fund credit it currently holds on his behalf upon receipt of the withdrawal claim form etc.

9.6 The fund is ordered to pay the complainant a further withdrawal benefit within two weeks of receiving payment from the employer.

9.7 The fund is ordered to provide the complainant with a breakdown of his withdrawal benefits, together with payments made.

10. The Applicant applies for a reconsideration of the Adjudicator's decision.

11. The Adjudicator filed further reasons in this application for reconsideration, in which the Adjudicator acknowledged that the determination included a period before the complainant was employed by the Applicant.

D: DISCUSSION

12. As foreshadowed above, the Applicant did not comment on the time-bar issue in the complaint before the Adjudicator. The Applicant raises the time-bar issue for the first time in this application. On reflection, the suggestion that the complaint was time-barred is unsustainable. Put differently, the employee had no reason to suspect during his employment that the company was dishonest and had not paid across his provident fund contributions.

13. That said, the Adjudicator has conceded that an error was made in respect of the period during which the complainant was not employed by the Applicant. In the circumstances, it would be appropriate to set aside the determination, only to correct the errors reflected in 9.2 mentioned above.

ORDER

(a) The determination is set aside only to correct the clerical errors in the determination and referred back to the Adjudicator for this correction.

Signed on behalf of the Tribunal on 20 November 2026.

__*Sgd PJ Veldhuizen*_____

PJ VELDHUIZEN & LTC HARMS