

THE FINANCIAL SERVICES TRIBUNAL

CASE NO.: PFA71/2022

LUCY MALINGA

APPLICANT

and

METAL INDUSTRIES PROVIDENT FUND

FIRST RESPONDENT

METAL INDUSTRIES BENEFIT FUNDS (PTY) LTD

SECOND RESPONDENT

RBF ENGINEERING

THIRD RESPONDENT

THE PENSION FUNDS ADJUDICATOR

FOURTH RESPONDENT

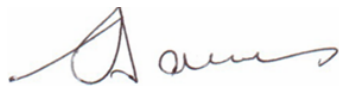
DECISION BY THE DEPUTY CHAIRPERSON

APPLICATION FOR RECONSIDERATION IN TERMS OF SECTION 230 OF THE FSR ACT 9 OF 2017

The application for reconsideration is summarily dismissed in terms of sec 234(4) of the Financial Sector Regulation Act.

The PFA correctly held that the complaint is time barred. The time limit is three years. It relates to events that took place (a claim arose) at the latest during 2005. The complainant was then a minor (born in 1994) but she turned 18 and became a major during 2012, that is ten years ago. On the face of her complaint the family always knew of the complaint but did not engage the PFA.

The PFA and/or the Tribunal cannot grant condonation or relaxation.



LTC HARMS

Deputy Chairperson

6 February 2023