



## THE FINANCIAL SERVICES TRIBUNAL

Case No. PFA25/2026

In the matter between:

**ISAAC DITSHEGO MORUDU**

Applicant

and

**THE PENSION FUND ADJUDICATOR**

First Respondent

**AUTOWORKERS PROVIDENT FUND  
C/O MOTOR INDUSTRY FUND ADMINISTRATORS**

Second Respondent

**RHEILAND FILING STATION**

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: 17 June 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.*

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**DECISION**

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## **A: INTRODUCTION**

1. The Applicant is Isaac Ditshego Morudu ("the Applicant").
2. The First Respondent is the Pension Funds Adjudicator ("the Adjudicator").
3. The Second Respondent is the Autoworkers Provident Fund ("the Fund").
4. 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").
5. 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**

6. The matters giving rise to this complaint date back to a complaint made to the Adjudicator in 2023, and to which the Adjudicator made a Determination on 28 May 2024.
7. This application for reconsideration was filed on 30 March 2026, well outside the time period for filing such an application. The Applicant's attorney filed an application for condonation, suggesting:

7.1 The Applicant's constitutional right to be heard.

7.2 The dire consequences for the Applicant if condonation were not granted.

7.3 No prejudice to the Respondent.

8. The matter of condonation has been dealt with in the Constitutional Court in *Grootboom v NPA* [2014] 1 BLLR 1 (CC) as follows:

It is now trite that condonation cannot be had for the mere asking. A party seeking condonation must make out a case entitling it to the court's indulgence. It must show sufficient cause. This requires a party to give a full explanation for the non-compliance with the rules or court's directions. Of great significance, the explanation must be reasonable enough to excuse the default.<sup>14</sup>

And

It is by now axiomatic that the granting or refusal of condonation is a matter of judicial discretion. It involves a value judgment by the court seized with a matter based on the facts of that particular case. In this case, the respondents have not made out a case entitling them to an indulgence. It follows that their application must fail.

9. The Applicant has failed to meet even the lowest threshold for condonation and, in any event, lacks prospects of success for several other reasons, including, but not limited to, the Adjudicator's jurisdiction in terms of Section 30I of the PFA.

10. Accordingly, there is no sustainable complaint or issue for reconsideration.

## **E: CONCLUSION**

19. In the circumstances, the Application for a reconsideration of the

Adjudicator's decision should be dismissed.

**ORDER**

(a) The Application for Reconsideration is dismissed.

Signed on behalf of the Tribunal on 17 June 2026.

\_\_\_*Sgd PJ Veldhuizen*\_\_\_

**PJ VELDHUIZEN & LTC HARMS**