



Dear Employer

Section 13A (S13A) is a section of the Pension Funds Act, 1956 (the “Act”) which deals with the monthly payment of retirement fund contributions by Employers to the pension fund their employees are Members of. The Financial Sector Conduct Authority (FSCA) published [Conduct Standard 1 of 2022](#), which became effective on **19 February 2023**. It is very clear on what is required and the consequences of non-compliance.

To refresh your memory, **click on any of the below buttons** to read more about what was previously communicated to you.

[Volume 1](#)[Volume 2](#)[Volume 3](#)[SuperFund Practice Note 34](#)[Member Communication on S13A](#)

What has happened since implementation?

As per the requirements, the retirement fund trustees are obligated to:

- report Employers who don't comply with Section 13A to the FSCA and the South African Police Services (SAPS), and
- directly inform Members, in writing, if the Employer does not comply with any of the requirements.

Compliance covers both the payment of contributions by the due date (7th of the following month) and the submission of the required minimum information.

One of the consequences of not complying with the S13A requirements is that the FSCA may publish the name of the Participating Employer on its website for public notice. This is as per the terms of FSCA Communication 17 of 2022 (RF) of 9 June 2022. Non-compliance is taken seriously – it entails additional consequences beyond this. Read **Vol.2** of our communication to see the extensive list, including, but not limited to, the payment of fines and imprisonment of responsible persons upon conviction.

What should you be doing right now?

- Process your payment of contributions timeously so that it reflects in the SuperFund bank account by the **7th of each month**. This way, you'll avoid the compound interest payable in the event of unpaid or late payments, among other consequences.
- Review your payroll files and check the data you've been providing to SuperFund. If there are any gaps, please take the time to build complete data before each payroll submission.
- If you are experiencing any financial challenges, communicate this to SuperFund immediately. Other options can then be explored.
- Familiarise yourself with SuperFund Practice Note 34, so that you are fully aware of what happens in the event of non-compliance. This includes criminal prosecution, and a fine of up to R10 million and/or imprisonment.

What's next?

Please urge your employees to register on [Secure Services](#). Prompt them to keep their details current by reaching out to you for submission via your payroll updates. Alternatively, they can contact us at 0860 20 30 40 or email us at superfund@oldmutual.com.