

Legal Updates – Case Law List alphabetical

Case	Dealing with	Legal update
A v Liberty Life – Ombudsman for Long Term Insurance	Late submission of claims	5-2017
Amplats Group Provident Fund and others v Implicated Board Members of the Complainants and Vivian Cohen and Sanlam Life Insurance Limited (PFA/GP/00019725/2015/YVT) – PFA	Duties of a service provider	17-2018
Assign Services (Pty) Ltd v National Union of Metalworkers of South Africa and Others (2018) ZACC 22 (26 July 2018)	Temporary employees deemed to be employees of a client after 3 months	13-2018
Barker v Altrisk (2014) – High Court	Non-payment of premiums	6-2017
Bouttell v Road Accident Fund (2018) ZASCA 90 (31 May 2018)	Voluntary contributions to a retirement annuity fund cannot be claimed as loss of future earnings	12-2018
BS v PS (2018) ZASCA 37	Application of clean break rule to GEPF benefit	9-2018
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Coetzee v Zeitz Mocca Foundation Trust and Another (2018) ZALCCT 20 (14 June 2018)	Employer can choose whether or not to accept an employee’s immediate resignation	13-2018
D v M and Setshaba Pension Fund (2015) – High Court	Death benefits and paternity	16-2016
De Beer ES and Rand Executive Retirement Fund; Lifesense Financial Services (Pty) Ltd; FundsAtWork Umbrella Provident Fund; MMI Group Limited; Corporate Selection Umbrella Retirement Fund No 2 and Liberty Group Limited (PFA)	Transferring fund responsible for loss of investment returns due to transfer to incorrect receiving fund	21-2017
Democratic Alliance v Minister of Public Enterprise and Others; Economic Freedom Fighters v Eskom Holdings Limited and Others; Solidarity Trade Union v Molefe and Others	Termination benefit	7-2018
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Gordon v JP Morgan Equities SA (Pty) Limited and others (2017) JOL 38130 (LC): Labour Court – Review of arbitration award	Dismissal during gardening leave	20-2017

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