

# 'CUSTOMARY' WIFE LODGED PENSION CLAIM

CONSUMER Line has come to the rescue of Tseko Mosia who has been battling to get his uncle's death benefits because a woman was claiming that she was his late uncle's customary wife.

Mosia of Naledi in Soweto was a dependant of the late Nthonyana Mosia and also the executor of the deceased's estate.

His uncle was widowed and he had no children, Mosia says. "My uncle brought me up and took care of all my needs when I was growing up. He was like a father to me because I didn't have one," Mosia says.

He says after his aunt died, his uncle did not get married again, but had many girlfriends.

Because Mosia was the executor of his uncle's estate, this allowed him to make claims and to pay his uncle's debts, he says.

"I lodged insurance and funeral claims, including my uncle's last salary and his leave pay without any hassle," he says.

But the problem started when the Government Employees Pension Fund had to pay the death benefit.

The fund said that his late uncle's customary wife had made a claim, Mosia says.

"It turned out that it was the woman who we had asked to take care of his house after relatives had left after my uncle's funeral," he says.

Mosia says they had met the woman on the week of his uncle's funeral and that neighbours were surprised when she claimed to be his uncle's girlfriend.

"But we accepted her as such and she agreed to take care of my uncle's house while I sorted out his estate," Mosia says.

"We later found out that she



# Adjudicator to clamp down

MUVHANGO Lukhaimane, the newly appointed pension funds adjudicator, says a spouse of a customary marriage has a duty to ensure that a marriage is registered.

Lukhaimane says that problems such as Tseko Mosia experienced are common.

She says she has found boards of management of a number of funds wanting when it came to investigating and distributing death benefits.

She says chancers who cannot prove a customary marriage or get families to corroborate such unions will not succeed in claiming because she intends cracking the whip on administrators who pay claimants without any proper investigation.

Lukhaimane says in most cases the boards would identify beneficiaries who were not adopted or financially dependant on a deceased.

On July 4, she ordered Old Mutual to pay the Maahe family R124 000 instead of the girlfriend who had claimed to have been married to the deceased.

Lukhaimane explains that in terms of section 3 (b) of the Recognition of Customary Marriages Act, 120 of 1998, a valid customary marriage must be negotiated and entered into or celebrated in accordance with customary law, which was not the case in the Maahe instance.

# ALMOST ROBBED: Tseko Mosia will soon receive his uncle's death benefits after the intervention of Consumer Line

PHOTO: VELLI NHLAPO

uncle's house, telling the family that she wants to move on with her life. She gave the house keys to the family.

Caiphus Shilo of the pension fund says Mosia's matter is now with their forensic section and that an urgent request has been made to expedite his claim.

the Government Employees Pension Fund conducted a thorough investigation and have now agreed to release the funds to the rightful beneficiary.

Mosia will be paid R179 419. Mosia says that when the woman discovered that she was being investigated, she quickly vacated his

befriended our relatives and hoodwinked them into giving her their ID numbers which she used in an affidavit claiming that she was my uncle's customary wife.

"Now, as a result of this affidavit, I am unable to get my uncle's death benefits," Mosia says.

After Consumer Line intervened,