

20 April 2015

TO: Principal Officers of all registered Pension Funds

CC: Chairperson: RFIN

Administrators of all registered Pension Funds

DIRECTIVE : PI/PF/DIR/02/2015

EFFECTIVE DATE: 20 April 2015

SUBJECT : ADMINISTRATION OF FUNDS TO BE DONE IN NAMIBIA

1 Introduction

1.1 This Directive is issued by virtue of NAMFISA's functions and powers and those of its CEO in his capacity as the Registrar of Pension Funds in terms of the Namibia Financial Institutions Supervisory Authority Act, 2001 (Act No. 3 of 2001) ("the NAMFISA Act") and is applicable to all pension fund organizations registered under the Pension Funds Act, 1956 (Act No. 24 of 1956) ("the PF Act").

1.2 The purpose of this Directive is to direct principal officers of all registered pension funds, whose administration is being done outside Namibia, to effect the full transfer of the administration of their funds to Namibia within 12 months from the date of the receipt of this Directive. As such, Circular PF No. 10, dated 24 March 1998, relating to the full spectrum of the administration of pension funds to be done in Namibia, is hereby revoked and replaced with this Directive No. PI/PF/DIR/01/2015 with immediate effect.

2 The current practice

Onsite inspections of registered funds have revealed that the administration of some funds is done outside Namibia with fund records being kept outside Namibia. This practice makes the effective supervision of registered funds problematic as the said records are inaccessible



to the Registrar and inspectors when the Registrar or inspectors need to inspect the affairs of registered funds.

3 The law

3.1 In terms of section 3 of the NAMFISA Act, one of the functions of NAMFISA is to exercise supervision, in terms of that Act or any other law, over the business of financial institutions and over financial services.

3.2 Section 25 of the PF Act, read with sections 3 and 4 of the Inspection of Financial Institutions Act, 1984 (Act No. 38 of 1984), give the Registrar and inspectors the power to inspect the affairs of financial institutions and prescribe the manner in which an inspection may be carried out.

4 Conclusion

In order to enable NAMFISA to effectively execute its functions as contemplated in the NAMFISA Act and to enable the Registrar and inspectors to properly exercise their power to conduct onsite inspections of financial institutions as contemplated in the PF and Inspection of Financial Institutions Acts, the administration of all registered funds must be done in Namibia.

5 The Directive

Accordingly, all principal officers of registered pension funds, whose administration is currently done outside Namibia, are hereby directed to ensure that the administration of their funds is fully transferred to Namibia within 12 months from the date of the receipt of this Directive.

The Registrar therefore requires full cooperation and support in this process by all industry players and stakeholders at large.



Should you require more clarity on this Directive, kindly contact the Manager of the Pension Funds Department at telephone number 061-290 5000.

A handwritten signature in black ink, appearing to read 'Phillip N. Shiimi', is positioned above a horizontal line.

Phillip N. Shiimi
Registrar of Pension Funds