



NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NUMBER: 2561 [NW2821E]

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2561. Adv A de W Alberts (FF Plus) to ask the Minister of Finance:†

- (1) Whether any legal opinion was obtained before the application of the clean break principle was implemented, when a member of the Government Employees Pension Fund (GEPF) gets divorced; if not, (a) why not and (b) how the validity of the principle was established; if so, (i) what are the relevant particulars and (ii) what did the legal opinion find regarding the (aa) constitutionality of the unilateral creation of a debt for a member and (bb) rationality of the principle;
- (2) how can access to a copy of the legal opinion be obtained? NW2821E

REPLY:

The GEPF is currently a respondent in a court application brought against it by a member on the application of the “clean break principle” where many of the issues canvassed in this question are involved. It is therefore not appropriate to answer these questions at this time.