

**Press Release: 25 January 2024**

**FAIS Ombud Issues Determination in Favor of Complainant Lee-Ann Robinson Against Uncle Mikes 24 Funeral Services (Pty) Ltd t/a Nattex Funeral Services**

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In a recent determination under Section 28(1) of the Financial Advisory and Intermediary Services Act 37 of 2002 ('FAIS Act'), the FAIS Ombud has ruled in favour of Ms. Lee-Ann Robinson, against Uncle Mikes 24 Funeral Services Pty (Ltd), trading as Nattex Funeral Services in Kimberley (FSP 47679).

Ms. Robinson filed a complaint with the Office of the FAIS Ombud on June 5, 2020, regarding her funeral policy with the Respondent. The policy provided a cover benefit of R40,000.00, with a monthly premium of R250.00. Her claim in April 2020 related to the passing of the Complainant's cousin, Teshwill Eksteen, one of the insured individuals on the policy.

The Respondent, represented by its key individual, Mr. Winston Williams, denied the claim based on the deceased passing away within the waiting period of six months. However, it was found that the waiting period for natural causes had expired, as the policy was seven months old when the claim was submitted. Ms. Robinson requested that the Respondent honour the claim and pay the amount of R40,000.00.

In response to the complaint, the Respondent agreed to pay the claim amount of R40,000.00 in instalments, starting from August 2020. However, no evidence of payment was provided, and the Respondent was granted an extensive period to settle the claim. Attempts to contact the Respondent were unsuccessful.

After assessing the evidence, the FAIS Ombud concluded that the Respondent was in contravention of Section 2 of the FAIS Act which states *"A provider must at all times render financial services honestly, fairly, with due skill, care and diligence, and in the interests of clients and the integrity of the financial*

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*services industry.”*

The Ombud upheld the complaint and ordered the Respondent to pay Ms. Robinson the amount of R40,000.00, plus interest at a rate of 11.75% per annum from June 26, 2020, until the date of the final payment. This determination highlights the importance of financial service providers fulfilling their contractual obligations and serving the interests of their clients in accordance with the FAIS Act.

The period in which the Respondent could apply to the Financial Services Tribunal for a reconsideration of the determination has expired. The determination will now be filed with the relevant court as an order.

**Access full determination [here...](#)**

Should you believe that you have been financially prejudiced because of the financial service rendered to you in respect of a regulated financial product, then you can visit our Complaints Portal at [www.faisombud.co.za](http://www.faisombud.co.za) and select ‘Lodge Complaint’. Alternatively, you may submit a complaint in writing to [info@faisombud.co.za](mailto:info@faisombud.co.za). You can also call our Client Care Centre at (012) 762 5000 or Sharecall at 086 066 3274 for assistance in submitting a complaint.