

*MEDICAL AID FUND – Insolvency of Fund- Other fund (Respondent) undertaking obligations of insolvent fund with statutory permission.*

*TRANSFER OF FUNDS –Members of Fund paying levies to insolvent fund while services rendered by respondent – administrators of former paying funds received to respondent.*

*LIQUIDATORS CLAIMING PAYMENTS – In terms of Companies Act – payment by administrators claimed as property belonging to insolvent fund and part of its estate and reclaimable in terms of Insolvency Act read with Companies Act.*

*PAYMENT – a bilateral juristic act – at no stage was insolvent fund intending to be paid by members for whom it was not providing services – holding funds for respondent who by agreement with it was providing services.*

*“PROPERTY” OF INSOLVENT FUND – Insolvent fund not possessing contributions for its own account- a conduit for respondent – principle of commixtio not relevant – payments made to insolvent fund not “property” which can be appropriated by liquidators.*