

South Africa

Financial Markets Act, 2012

Application for approval of the acquisition or the holding of shares or any other interest in a market infrastructure, 2013

Board Notice 93 of 2013

Legislation as at 31 May 2013

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Application for approval of the acquisition or the holding of shares or any other interest in a market infrastructure, 2013

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Board Notice 93 of 2013

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Under section [67\(8\)](#) of the Financial Markets Act, 2012 ([Act No. 19 of 2012](#)), I, Dube Phineas Tshidi, Registrar of Securities Services, hereby determine the manner and form for an application for the acquisition or holding of shares or any other interest in a market infrastructure as contemplated in section 67, as set out in the Schedule.

1. Definition

In this Schedule,

“**the Act**” means the Financial Markets Act, 2012 ([Act No. 19 of 2012](#)), and any word or expression to which a meaning has been assigned in the Act, bears the meaning so assigned to it.

2. Application

If an application is made in terms of section [67\(8\)](#) of the Act for the approval—

- (a) by the registrar, in terms of section [67\(3\)](#) or [\(4\)](#) of the Act, or
- (b) by the Minister, in terms of section [67\(5\)](#) of the Act,

the application must be submitted to the registrar on Form FM 5 and comply with the following conditions—

- 1. The form must be properly completed and signed. Questions must be answered either in full or as not applicable (“n/a”). The signatory(ies) must be duly authorised to make the application.
- 2. The format of this form or the wording of questions may not be changed. However, this form may be reproduced.
- 3. Answers may be in hand or typewriting.
 - 3.1 If the form is completed on a computer—
 - (a) delete the solid lines in those areas provided for answers before the answers are typed or use the otype mode whilst the answers are typed.
 - (b) rows may be inserted where insufficient space is provided for answers.
 - 3.2 If the form is completed by hand, should the space provided not be sufficient, the detail can be provided on a separate page, duly initialled and cross-referenced to the relevant question.
 - 3.3 If the form that is submitted contains any changes to typed or written information, those changes must be signed.
- 4. No copies are required to be submitted with the completed form.
- 5. The application must be submitted at least one month before the approval is required to allow the registrar time to consider it and seek information or clarification, where necessary.

3. Fees

The form must be accompanied by the fees prescribed by the registrar in terms of section [108](#) of the Act.

4. Information

The application must set out all the reasons for, and information relevant to, the application for approval.

5. Commencement

This Notice comes into operation on the same date on which the Act comes into operation.

Form FM5

[Editorial note: The form has not been reproduced.]