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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 573

12 April 1996

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

LEVY ON FRESH TOMATOES: INTENTION TO IMPOSE A LEVY

I, André Isak van Niekerk, Minister of Agriculture, acting under section 84A (6) of the Marketing Act, 1968 (Act No. 59 of 1968), hereby give notice that I intend to impose the levy on fresh tomatoes, on the basis set out in the Schedule.

Producers of tomatoes are hereby invited to make representations concerning the proposed levy in writing to the Director-General: Department of Agriculture, Dirk Uys Building, Hamilton Street, Pretoria, or Private Bag X250, Pretoria, 0001, before or on 30 April 1996.

A. I. VAN NIEKERK
Minister of Agriculture

SCHEDULE

Definition

1. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Marketing Act, 1968 (Act No. 59 of 1968), shall have a corresponding meaning and—

"**tomatoes**" means the fruit of plants of *dycopersicon lycopersicum*; and

"**Republic**" means the Republic of South Africa.

Imposition of levy

2. A levy is hereby imposed on tomatoes produced in the Republic for fresh consumption and sold by producers thereof.

Amount of levy

3. The amount of the levy, referred to in clause 2, shall be 2,5 cents (VAT included) per container of 5–6,5 kg tomatoes.

Persons by whom levy is payable

4. The levy referred to in clause 2 shall be payable by the producer of the tomatoes.

Time and manner of payment of levy

5. A levy on tomatoes produced and sold in the Republic, shall be paid to the Tomato Producers' Organisation within 15 days after the end of the month in which the transaction took place.

No. R. 573

12 April 1996

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

HEFFING VAN VARS TAMATIES: VOORNEME OM HEFFING OP TE LÊ

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 84A (6) van die Bemarkingswet, 1968 (Wet No. 59 van 1968), gee hierby kennis, dat ek van voorneme is om die heffing op te lê op vars tamaties, op die grondslag in die Bylae uiteengesit.

Produsente van tamaties word hierby uitgenooi om voor 30 April 1996 vertoë aangaande die voorgestelde heffing skriftelik by die Direkteur-generaal: Departement van Landbou, Dirk Uysgebou, Hamiltonstraat, Pretoria, of Privaatsak X250, Pretoria, 0001, in te dien.

A. I. VAN NIEKERK

Minister van Landbou

BYLAE**Woordomskrywing**

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Bemarkingswet, 1968 (Wet No. 59 van 1968), 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“**tamaties**” die vrug van plante van *lycopersicon lycopersicum*; en

“**Republiek**” die Republiek van Suid-Afrika.

Oplegging van heffing

2. 'n Heffing word hierby opgelê op tamaties wat in die Republiek geproduseer word vir varsverbruik en deur die produsente daarvan verkoop is.

Bedrag van heffing

3. Die bedrag van die heffing in klousule 2 bedoel, is 2,5 sent (BTW ingesluit) per houer van 5–6,5 kg tamaties.

Persone deur wie heffing betaalbaar is

4. Die heffing in klousule 2 bedoel is betaalbaar deur die produsente van die tamaties.

Tyd en wyse van betaling van heffing

5. 'n Heffing op tamaties wat in die Republiek geproduseer en verkoop word, moet aan die Tamatieprodusente-organisasie betaal word binne 15 dae na die einde van die maand waarin die transaksie plaasgevind het.

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSKE EN TOERISME**

No. R. 599

12 April 1996

**AUGRABIES-FALLS NATIONAL PARK: EXCLUSION OF LAND FROM THE PARK IN TERMS OF
SECTION 2B (1) OF THE NATIONAL PARKS ACT, 1976 (ACT No. 57 OF 1976)**

I, Dawid Jacobus de Villiers, Minister of Environmental Affairs and Tourism—

hereby exclude under section 2B (1) of the National Parks Act, 1976 (Act No. 57 of 1976), the land described as Bokvasmaak 498, in extent 70 928 hectares, situated in the Division of Gordonia, Northern Cape Province, from the Augrabies-Falls National Park.

D. J. DE VILLIERS

Minister of Environmental Affairs and Tourism

No. R. 599

12 April 1996

**AUGRABIES-WATERVAL NASIONALE PARK: WEGNEEM VAN GROND UIT DIE PARK INGEVOLGE
ARTIKEL 2B (1) VAN DIE WET OP NASIONALE PARKE, 1976 (WET No. 57 VAN 1976)**

Ek, Dawid Jacobus de Villiers, Minister van Omgewingsake en Toerisme—

neem hierby kragtens artikel 2B (1) van die Wet op Nasionale Parke, 1976 (Wet No. 57 van 1976), die grond beskryf as Bokvasmaak 498, groot 70 928 hektaar, geleë in die afdeling Gordonia, Noord-Kaap-provinsie, uit die Augrabies-Waterval Nasionale Park weg.

D. J. DE VILLIERS

Minister van Omgewingsake en Toerisme

**DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES**

No. R. 555**12 April 1996**

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/774)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

A. ERWIN**Deputy Minister of Finance****SCHEDULE**

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
17.01			By the substitution for heading No. 17.01 of the following:			
"17.01			Cane or beet sugar and chemically pure sucrose, in solid form:			
	1701.1		Raw sugar not containing added flavouring or colouring matter:			
	1701.11	6	Cane sugar	kg	57,3c/kg	
	1701.12	2	Beet sugar	kg	57,3c/kg	
	1701.9		Other:			
	1701.91	2	Containing added flavouring or colouring matter	kg	57,3c/kg	
	1701.99	3	Other	kg	57,3c/kg"	

No. R. 555**12 April 1996**

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/774)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

A. ERWIN**Adjunkminister van Finansies****BYLAE**

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Anno- tasies
17.01			Deur pos No. 17.01 deur die volgende te vervang:			
"17.01			Rietsuiker of beetsuiker en chemies suiwer sukrose, in soliede vorm:			
	1701.1		Rou suiker wat nie bygevoegde geursel of kleursel bevat nie:			
	1701.11	6	Rietsuiker	kg	57,3c/kg	
	1701.12	2	Beetsuiker	kg	57,3c/kg	
	1701.9		Ander:			
	1701.91	2	Wat bygevoegde geursel of kleursel	kg	57,3c/kg	
	1701.99	3	bevat Ander	kg	57,3c/kg"	

No. R. 556**12 April 1996**

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/775)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

A. ERWIN**Deputy Minister of Finance****SCHEDULE**

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
38.15			By the substitution for subheading No. 3815.19 of the following:			
	"3815.19	2	Other	kg	free"	

No. R. 556**12 April 1996**

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/775)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

A. ERWIN**Adjunkminister van Finansies****BYLAE**

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Anno- tasies
38.15			Deur subpos No. 3815.19 deur die volgende te vervang:			
	"3815.19	2	Ander	kg	vry"	

No. R. 557**12 April 1996**

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/2/97)

Under section 48 of the Customs and Excise Act, 1964, Part 2B of Schedule No. 1 to the said Act is hereby amended, with retrospective effect to 9 June 1995, to the extent set out in the Schedule hereto.

A. ERWIN**Deputy Minister of Finance****SCHEDULE**

I Item	II Heading	III Subheading	IV Article Description	V Rate of Duty		Anno- tations
				Excise	Customs	
118.20		"3304.99	By the substitution for subheading No. 3304.99 of the following: Other (excluding pastes and other intermediate products not put up for sale by retail, barrier cream in packings of 5 kg or more and unperfumed petroleum jelly)	37,5%	37,5%"	

No. R. 557

12 April 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/2/97)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 2B van Bylae No. 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 9 Junie 1995, in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Item	II Pos	III Subpos	IV Artikelbeskrywing	V Skaal van Reg		Anno- tasies
				Aksyns	Doeane	
118.20		"3304.99	Deur subpos No. 3304.99 deur die volgende te vervang: Ander (uitgesonderd pastas en ander intermediêre produkte nie vir kleinhandelverkoop bemark nie, beskermingsroom in verplakkings van minstens 5 kg en ongeparfumeerde petroleumjellie)	37,5%	37,5%"	

No. R. 558

12 April 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 4 (No. 4/189)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	Tariff Heading	Rebate Code	C. D.	II Description	III Extent of Rebate	Annota- tions
460.07	"39.19	01.00	46	By the substitution for tariff heading No. 39.19 of the following: Plates, sheets, film, foil and strip, of polyethylene terephthalates, self-adhesive, with removable protective substances, entered on or before 12 April 1997, in such quantities and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit issued on or before 12 April 1996	Full duty"	

No. R. 558

12 April 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 4 (No. 4/189)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
460.07	"39.19	01.00	46	Deur tariefpos No. 39.19 deur die volgende te ver- vang: Plate, velle, film, foelie en reep, van poliëtileen- tereftalate, selfklewend, met verwyderbare besker- mingstowwe, geklaar voor of op 12 April 1997, in die hoeveelhede en onderworpe aan die voor- waardes wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad op Tariewe en Handel, by bepaalde permit voor of op 12 April 1996 uitgereik, toelaat	Volle reg"	

No. R. 559

12 April 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 4 (No. 4/190)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended, with retrospective effect to 1 September 1995, to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
460.11	"5407.60	01.06	60	By the insertion after tariff heading No. 00.00 of the following: Woven fabrics of synthetic filament yarn containing 85 per cent or more by mass of non-textured filaments (excluding crêpe and seersucker fabrics not containing textured filaments, fabrics containing combed wool or other combed animal hair of a mass of 142 g/m ² or more and fabrics printed with scarf designs), entered for the purposes of this provision on or before 31 March 1996, in such quantities and of such values as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty less the greater of 45% with a maximum of 1 000 c/kg or 680 c/kg"	

No. R. 559

12 April 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 4 (No. 4/190)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 September 1995, in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II			III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.		
460.11	"5407.60	01.06	60	Deur na tariefpos No. 00.00 die volgende in te voeg: Weefstowwe van sintetiese filamentgaring wat, volgens massa, minstens 85 persent nie-getekstureerde filamente bevat (uitgesonderd krip- en sirsakarstowwe wat nie getekstureerde filamente bevat nie, stowwe wat gekamde wol of ander gekamde dierehaar bevat, met 'n massa van minstens 142 g/m ² en stowwe met serppatrone bedruk), geklaar vir die doeleindes van hierdie voorsiening voor of op 31 Maart 1996, in die hoeveelhede en met sodanige waardes wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad op Tariewe en Handel, by bepaalde permit toelaat	Volle reg min die hoogste van 45% met 'n maksimum van 1 000 c/kg of 680 c/kg"

No. R. 560

12 April 1996

CUSTOMS AND EXCISE ACT, 1964

IMPOSITION OF PROVISIONAL PAYMENT (VB/26)

Under section 57A of the Customs and Excise Act, 1964, a provisional payment in relation to anti-dumping duty is imposed up to and including 26 July 1996, to the extent and on the goods set out in the Schedule hereto.

D. J. COLESKY

Commissioner for Customs and Excise

SCHEDULE

Subheading	Description of Goods	Provisional Payment	Imported from or Originating in
8201.30	Picks	38%	Republic of India (excluding those certified by Divy-Jyot Agricultural Pvt Ltd and by Fivestar Agrico Pvt Ltd as being manufactured by them and subsequently exported by Indo Euro Exports of 11 Uday Apartment, 5th Floor, Aghase Road, Dadar (W), Bombay, 400 028, India)

No. R. 560

12 April 1996

DOEANE- EN AKSYNSWET, 1964

OPLEGGING VAN VOORLOPIGE BETALING (VB/26)

Kragtens artikel 57A van die Doeane- en Aksynswet, 1964, word 'n voorlopige betaling met betrekking tot anti-dumpingreg tot en met 26 Julie 1996, opgelê, in die mate en op die goedere in die Bylae hiervan aangetoon.

D. J. COLESKY

Kommissaris van Doeane en Aksyns

BYLAE

Subpos	Beskrywing van Goedere	Voorlopige Betaling	Ingevoer vanaf of Afkomstig van
8201.30	Pikke	38%	Republiek Indië (uitgesonderd dié gesertifiseer deur Divy-Jyot Agricultural Pvt Ltd en deur Fivestar Agrico Pvt Ltd as synde deur hulle vervaardig en vervolgens uitgevoer deur Indo Euro Exports van 11 Uday Apartment, 5th Floor, Aghase Road, Dadar (W), Bombay, 400 028, Indië)

FINANCIAL SERVICES BOARD**STOCK EXCHANGES CONTROL ACT, 1985 (ACT No. 1 OF 1985)**

The Minister of Finance has under section 51 of the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In these regulations any word or expression to which a meaning had been assigned in the Act, shall have the same meaning and unless the context otherwise indicates-

"client" means any person on whose behalf securities are bought, sold or held by a member;

"counterparty" means, in any particular transaction, any person buying or selling securities from or to a member either for that person's own account or on behalf of a client;

"generally accepted accounting practice" means accounting practices which are in accordance with statements of Generally Accepted Accounting Practice issued by the South African Accounting Practices Board or, in the absence of any relevant statement, practices which are generally accepted in South Africa.

"the Act" means the Stock Exchanges Control Act, 1985 (Act 1 of 1985), as amended;

"the appeal board" means the board established by section 21 of the Act;

Application for the issue or renewal of a stock exchange licence

- 2.(1) Any person applying for the issue of a stock exchange licence in terms of the Act shall submit to the Registrar of Stock Exchanges, P O Box 35655, Menlo Park, 0102 a written application on form EB 1. Such application shall be accompanied by:-

- (a) the information required by the Registrar and specified in Annexure 1 to form EB 1;
- (b) the documentation, statements and undertakings specified in Annexure 2 to form EB 1 in support of the application.

- (2) Any person applying for the renewal of a stock exchange licence in terms of the Act shall submit to the Registrar of Stock Exchanges, P O Box 35655, Menlo Park, 0102, a written application on form EB 2.
- (3) Such application shall be accompanied by the information required by the Registrar and specified in Annexure 1 to Form EB 2.

Appeals to appeal board

- 3.(1) An appeal under section 20(1) of the Act against a decision of the committee or the disciplinary tribunal referred to in section 2A(b) of the Act shall be noted not later than 20 business days after the date on which the appellant is furnished, in writing, with the reasons for the decision.

- (2) The appeal referred to in subregulation (1) shall be noted by lodging with the secretary of the appeal board-

- (a) a written notice of appeal in which the grounds of appeal are fully set out;
 - (b) a copy of the decision appealed against and the reasons for that decision; and
 - (c) an address where any document or notice relating to this appeal may be served on the appellant.
- (3) A copy of the notice of appeal referred to in subregulation (2)(a) shall also be served on the committee or the said disciplinary tribunal, as the case may be, by the appellant within two business days of the noting of the appeal and proof of such service shall be lodged with the secretary of the appeal board.

- (4) The committee or the said disciplinary tribunal, as the case may be, shall within one month after the noting of an appeal furnish a complete certified record of the proceedings at which the decision appealed against was taken-

- (a) in septuple to the secretary of the appeal board; and
- (b) in duplicate to the appellant:

Provided that in the case of an extremely urgent appeal the chairperson of the appeal board may reduce the said one month to a period of not less than seven days.

- (5) The secretary of the committee or the said disciplinary tribunal, as the case may be, shall certify that the record concerned is a complete record of the proceedings at which the decision appealed against was taken and that all the documentary evidence considered at those proceedings is included in the record.
- (6) The appellant may amplify the grounds of appeal within 10 days of receipt of the certified

- record of the proceedings contemplated in subregulation (4).
- (7) The appellant shall provide to the appeal board such security for costs and in a form as determined by the chairperson of the appeal board within 10 business days after the appellant had been in writing notified thereof.
- (8) The secretary of the appeal board shall give the appellant and the committee or the said disciplinary tribunal, as the case may be, at least 10 business days notice, in writing, by registered post or by hand, of the date, time and place determined by the appeal board for the hearing of the appeal.
- (9) The appellant may conduct such appeal in person or through a representative.
- (10) The committee or the said disciplinary tribunal, as the case may be, may oppose the appeal in person or through a representative.
- (11) At the conclusion of the evidence the parties to the appeal or their representatives may address the appeal board in argument.
- (12) After conclusion of argument the appeal board shall-
- (a) determine the appeal or reserve its decision until a later date which must not be later than three months after the hearing of the appeal; and
- (b) if it is just and equitable and it so decides, make an order as to costs.
- (13) Such decision and order shall be given in writing, and shall be accompanied by the reasons for the decision.
- (14) A copy of the decision and the reasons therefor shall be forwarded to the parties by the secretary of the appeal board within five business days of receipt thereof.
- (15) The appeal board may decide an appeal even if the appellant or the committee or the said disciplinary tribunal does not appear or is not represented at the hearing.
- (16) Subject to these regulations the general practice and procedure of the appeal board shall be determined by the chairperson of the appeal board.
- (17) The secretary of the appeal board and his or her alternate, who shall not be a person employed by any stock exchange or the Financial Services Board, shall be appointed from time to time by the Minister.

Accounting records

- 4.(1) A member shall maintain, in accordance with generally accepted accounting practice in one of the official languages and in the currency of the Republic of South Africa, accounting

records on a continual basis so that at all times records are up-to-date or are able to be brought up-to-date within a reasonable time.

- (2) A member's accounting records should show and explain the member's transactions and financial commitments, and clients' transactions and payments by or to the member in such a manner that they disclose with substantial accuracy the financial position of the member, and the position of clients towards the member, at the close of business on any day.
- (3) Clients' accounts shall be designated as such and clearly distinguishable from the member's business accounts.
- (4) A member's accounting records shall as a minimum contain the following:-
 - (a) Entries from day to day of all sums of money received and expended by the member, whether on its behalf or on behalf of others, and the matters in respect of which the receipt and expenditure took place;
 - (b) a record of funds held in trust for clients;
 - (c) a record of all income and expenditure of the member explaining the nature thereof;
 - (d) a record of all assets and liabilities of the member, including any provision for financial commitments or contingent liabilities;
 - (e) a record of all purchases and sales of securities by the member, which reflects the following:-
 - (i) The date and, if the stock exchange does not maintain records of the time of each transaction concluded on the stock exchange, the time of each transaction;
 - (ii) the person from whom the securities were bought or to whom they were sold unless it is a transaction which is processed through an automated trading system recognised by the relevant stock exchange;
 - (iii) the person on whose behalf the securities were bought or sold;
 - (iv) the quantity and description of the securities which were bought or sold;
 - (v) the name of the issuer of the securities;
 - (vi) the price per security and the total consideration;
 - (vii) the brokerage;
 - (viii) the taxes that are payable in respect of each transaction in its category;

- (ix) the terms of the contract.
- (f) a record of the receipt and delivery of all securities and documents of title which are in the possession, safe custody or under the control of the member, in which is reflected:-
 - (i) The name of the issuer of the securities;
 - (ii) the quantity and description of the securities;
 - (iii) the identification numbers of the securities and documents of title;
 - (iv) the name of the registered holder;
 - (v) the person from whom the securities were received and to whom the securities were delivered;
 - (vi) the date of receipt and delivery;
- (g) a record of all dealings in options on listed securities and other financial instruments in which is reflected:-
 - (i) The date of each transaction;
 - (ii) the reference number of the transaction and option number where applicable;
 - (iii) whether the transaction is a purchase or a sale;
 - (iv) whether the option is a put or call option;
 - (v) the terms and conditions under which the option may be exercised, including the type of option, the strike price or yield, the strike date and time and the settlement date;
 - (vi) the identity of the writer of the option;
 - (vii) the quantity and description of the listed security or other financial instrument to which the option relates;
 - (viii) the option premium and settlement date;
 - (ix) the identity of the other party to the transaction;
 - (x) whether the transaction was entered into as principal or agent;

- (xi) the date and manner in which the transaction was concluded, whether by sale or exercise or lapse of the option;
- (h) records of all securities or documents of title in the possession, safe custody or under the control of the member, in which are reflected:-
 - (i) The name of the client or principal on whose behalf securities have been received, purchased, disposed of or sold;
 - (ii) the name of the issuer of the securities;
 - (iii) the quantity and description of the securities;
 - (iv) a trace identification of the securities or documents of title;
 - (v) the name of the registered holder and where the registered holder is a nominee, the beneficial owner or owners;
 - (vi) the location where the securities or documents of title are kept;
 - (vii) the purpose for which the securities or documents of title are held;
 - (viii) details of any charge to which the securities may be subject;
 - (ix) the dates on which the securities were received and delivered;
- (i) records of all securities held by a central securities depository or depository institution to the order of a member in which are reflected:-
 - (i) the name of the issuers of the securities;
 - (ii) a description of the securities;
 - (iii) the quantity of securities attributable to each beneficial owner;
 - (iv) the full names of each beneficial owner;
 - (v) the dates and identifying numbers of all movements giving rise to changes in the quantity or beneficial ownership of the securities;
 - (vi) details of any charge to which the securities may be subject.
- (5) A member shall maintain a record of authorisations supporting all transactions in terms of section 37 and 38 of the Act, in which is reflected:-
 - (a) the date of the written authorisation;

- (b) the name of the grantor of the authorisation; and
 - (c) particulars of the transaction or transactions to which the authorisation relates.
- (6) A member shall reconcile balances with the stock exchange and other exchanges, where applicable, clearing houses, central securities depositories, depository institutions and banks as frequently as is appropriate for the volume of transactions on the accounts and in any event not less than weekly. Any differences, other than differences in timing between the records of the member and the stock exchange, other exchange, clearing houses, central securities depositories, depository institutions or banks, as the case may be, shall be investigated immediately and corrected as soon as is practicable.
- (7) A member shall count the securities in his possession, add them to those held by any custodian in safe custody and daily agree them with the accounting records. Correcting entries shall be made forthwith.
- (8) A member or his duly appointed agent shall keep its accounting records for a period of five years after the date on which they are first made or prepared. During the current and immediate past year, a member shall keep these records at a place where the member carries on business. Thereafter, they shall be made available at a place of business of the member within 48 hours.
- (9) A member may keep computerised records provided that such records can be reproduced in hard printed form.

Internal control and risk management

5.(1) A member shall as far as is reasonable-

- (a) establish and maintain adequate systems of internal control; and
 - (b) adopt sound risk management principles and procedures and be able to describe and demonstrate the objectives and operation of such systems, principles and procedures to its auditor, the committee and the Registrar.
- (2) The systems of internal control shall be designed to ensure that-
- (a) all transactions and financial commitments entered into are recorded and are within the scope of authority of the member or the officer or employee acting on behalf of the member;
 - (b) there are procedures to safeguard the member's assets and assets belonging to any other person for which the member is accountable, and to control liabilities;
 - (c) there are measures, so far as is reasonably practicable, to minimise the risk of losses to the member or the member's clients from any irregularity, fraud or error

and to detect any irregularity, fraud or error should they occur so that prompt remedial action may be taken by the member or the member's management;

- (d) the member's trust account is monitored daily to ensure that all receipts to and payments from the trust account are correctly made;
 - (e) the member's safe custody records are reconciled weekly.
- (3) The principles and procedures of risk management shall be designed to ensure that the member's records are maintained in such a manner as to promptly disclose financial and business information which will enable the member or the member's management to-
- (a) identify, quantify, control and manage the member's risk exposures;
 - (b) make timely and informed business decisions;
 - (c) monitor the performance and all aspects of the member's business;
 - (d) monitor the member's capital to ensure compliance with the capital adequacy requirement imposed in terms of the rules.

Audit in terms of section 43 of the Act

6.(1) In addition to the matters provided for in section 43(2)(b) of the Act, the auditor's report shall mention the following:

- (a) Whether securities which have been entrusted to the member or for which the member was accountable to any person were registered and held in terms of the Act, the regulations and the applicable mandates as at the financial year end.
- (b) If it has come to the attention of the auditor that the member did not, for a material portion of the period under review, have adequate capital as required by the Act and the rules.
- (c) Whether the financial statements fairly present the financial position of the member concerned as at the date thereof and the results of the member's operations and cash flow for the period under review in accordance with generally accepted accounting practice.

(2) If a member ceases to carry on business as a member before the last day of the financial year of that member, such past member shall cause an audit of the business to be conducted within three months, or such later date as the Registrar may allow, after the ceasing of business and the audit shall cover the period from the first day of the financial year in question to the date of such ceasing: Provided that for the purposes of this subregulation a member who is a partnership shall be deemed not to have ceased business as a member by virtue of the admission of a new partner.

- (3) If a member ceases to carry on business as a member as contemplated in subregulation (2), such past member shall -
- (a) immediately in writing notify the stock exchange of which he was a member of such cessation;
 - (b) not later than one month after the date of ceasing to be a member, send to every client with whom the member dealt during the previous six months a letter in a form approved by the committee, notifying the client that such past member has ceased to carry on business as a member;
 - (c) cancel all mandates and powers of attorney of clients in the member's possession;
 - (d) forward final statements of account to the relevant clients;
 - (e) effect delivery to the clients concerned of securities, funds and any other assets entrusted to such member;
 - (f) furnish the committee and, on request, the Registrar with -
 - (i) the auditor's report referred to in section 43(2)(b) of the Act and in subregulation (1) for the period mentioned in subregulation (2); and
 - (ii) a report by the auditor stating-
 - (aa) that the past member complied with the provisions of subregulation 3(b), 3(c), 3(d) and 3(e);
 - (bb) that according to the accounting and other records the past member has met, in full, all the financial commitments and obligations arising out of such past member's business or has transferred, with the consent of the committee, such financial commitments and obligations to another member.

- (4) The provisions of subregulations (2) and (3) are, with the necessary changes, also applicable to the liquidator or trustee of the estate of a past member.

Fees

- 7.(1) The fees set out in the last column of the following table shall be payable in respect of each item mentioned opposite thereto:

Item	Fees
(a) Application for the issue of a stock exchange licence	R75 000

- (b) Application for renewal of a stock exchange
licence R5 000

- (c) Application for approval to act as portfolio
manager R5 000

(2) Fees referred to in subregulation (1) shall be payable -

- (a) by the applicant concerned at the time of submission of the application; and
(b) if paid by cheque, postal order or money order it should be made out in favour of
the Financial Services Board.

(3) Any such fees which are not paid whenever they are payable in terms of this regulation,
shall carry interest at a rate per year equal to the prevailing prime overdraft rate of the
Standard Bank of South Africa.

Repeal of regulations

8. The regulations promulgated by Government Notice No. R 10350, dated 18 July 1986, as
amended, are hereby repealed.

STOCK EXCHANGES CONTROL ACT, 1985**(ACT NO 1 OF 1985)**

Application in terms of section 8(2) of the Stock Exchanges Control Act, 1985 (Act No 1 of 1985) for the issue by the Registrar of Stock Exchanges of a stock exchange licence.

The Registrar of Stock Exchanges

P O Box 35655

MENLO PARK

Pretoria

0102

1. We, the Chairman, and, the Secretary of an association known as the, being specifically authorised thereto by the members of the said association in terms of its constitution, hereby, on behalf of the said association, apply for the issue of a stock exchange licence for the year ending 31 December 19.....
2. The prescribed application fee of is enclosed.
3. (a) The place at which the business of the stock exchange will be carried on is; and
(b) the trading method or facility by means of which the business of the stock exchange will be carried on is
4. Five copies of the proposed rules of the association, approved by the members of the association in terms of its constitution, are enclosed.

Witnesses

.....
CHAIRMAN

.....
SECRETARY

ANNEXURE 1 TO FORM EB 1**INFORMATION TO ACCOMPANY AN APPLICATION FOR THE ISSUE
OF A STOCK EXCHANGE LICENCE**

1. Administrative Information

- 1.1 The name of the association and the name it will adopt if it is issued with a stock exchange licence.
- 1.2 The postal, physical and electronic mail addresses of the association's registered or head office at which it will receive all documents for the purpose of this application.
- 1.3 The telephone and telefax numbers of the association, its chairman and secretary.
- 1.4 A list which reflects the full names, addresses and telephone numbers of each member of the association as at the date of application for a stock exchange licence.
- 1.5 A list which reflects the full names of the members of the committee of the association.
- 1.6 A list which reflects the names, physical and postal addresses, telephone and telefax numbers of:-
 - (a) The association's bankers;
 - (b) The association's auditors;
 - (c) The association's attorneys; and
 - (d) any other professional advisors associated with the application for a stock exchange licence.

2. Constitution of the association

A copy of the constitution of the association, approved by the members of the association, which regulates not less than the following matters-

- 2.1 The nature of the association;
- 2.2 the objects of the association;
- 2.3 the powers of the association;
- 2.4 the categories of membership and admission criteria and procedures in respect of membership;
- 2.5 the composition, powers and responsibilities of the committee;

- 2.6 the procedures for election or appointment and withdrawal of members of the committee and their terms of office;
 - 2.7 the procedures for the calling of meetings of members of the association;
 - 2.8 the voting powers of members of the association;
 - 2.9 the appointment of auditors; and
 - 2.10 the procedures for the winding up of the association.
3. Adequacy of financial resources
- 3.1 If the association has been in existence for more than a year, a copy of its audited annual financial statements as at its latest financial year-end; and
 - 3.2 A copy of the budgeted income statement, balance sheet and cash flow statement-
 - (a) in respect to an association in existence for more than one year for a period from the date of the latest annual financial statements to a date not earlier than 1 year nor later than 18 months after the date of application for a stock exchange licence;
 - (b) in respect to an association in existence for less than one year, a copy of the budgeted income statement, balance sheet and cash flow statement for a period ending not earlier than one year nor later than 18 months after the date of application for a stock exchange licence.
4. Adequacy of management resources
- 4.1 A copy of the management structure of the association including the names of the individuals responsible for major functional areas and the number of personnel employed in each functional area.
 - 4.2 A copy of the projections of management and staff requirements for the period covered by the budgets provided in terms of 3.2 above.
5. Proposed business of the exchange
- A copy of the business plan of the association which has been approved by the committee and which addresses not less than the following:
- 5.1 The range of investments that it is proposed be listed on the exchange and the requirements for listing.

- 5.2 The range of investors both local and foreign, that it is anticipated will invest through the medium of the exchange.
- 5.3 The benefits to such investors of investment through the medium of the exchange.
- 5.4 Planned development of the systems and infrastructure of the association.
- 5.5 Plans to ensure the integrity of the market and its members.
- 5.6 The extent and manner of publication of prices.
- 5.7 The surveillance procedures which have been established to ensure the compliance by members with the proposed rules of the association and the requirements of the Act, if licensed, and the resources of the association available to perform this function.
- 5.8 Procedures to be followed to effectively discipline members of the association who fail to comply with its rules or the provisions of the Act.
- 5.9 Security procedures to ensure the integrity of the systems for recording trades and the ownership of securities, the capacity of these systems in relation to the budgeted number of trades and back-up resources available in the event of a systems failure.
- 5.10 Reports and publications to be made available to the investing public in relation to the membership of the association, trades executed on the exchange and the securities listed by the exchange and the manner in which such information will be disseminated.

6. Guarantee Fund

- 6.1 A copy of the rules of the proposed Guarantee Fund.
- 6.2 A statement by the Chairman of the association as to the manner of the funding of the Guarantee Fund including the extent to which the Fund will be underwritten by a policy of insurance.
- 6.3 A copy of the pro forma policy document.

7. Public interest

A memorandum outlining any further factors, not already covered in the prior sections, which could indicate that the grant of a stock exchange licence will serve the interests of the public.

ANNEXURE 2 TO FORM EB 1**DOCUMENTATION STATEMENTS AND UNDERTAKINGS TO BE PROVIDED IN
SUPPORT OF THE INFORMATION SUPPLIED IN TERMS OF ANNEXURE 1**

1. A statement from the Chairman of the association confirming that the Committee has satisfied itself that-
 - 1.1 all members of the association or, where a member is a corporate entity, all persons managing and controlling its activities, are of good character and integrity;
 - 1.2 all members comply with the minimum capital requirements for membership; and
 - 1.3 the association comprises of at least 10 members.
2. Undertaking by each founding member of the association that he or she will carry on business as a member of the proposed stock exchange independently of and in competition with each other.
3. A Curriculum Vitae in respect of each member of the committee indicating his relevant experience and training and the names of three referees.
4. A statement signed by each committee member to the effect that they know of no reason why they should not fulfil their term of office as a committee member.
5. A statement signed by the Chairman of the association setting out the critical assumptions made in the preparation of budgets presented in terms of Annexure 1 and, in particular, the sources from which the exchange will derive its funding.
6. Where arrangements have been made for the funding of any temporary shortfall in available cash resources, a statement shall be provided by the party or parties concerned setting out their commitment to provide borrowing facilities to the association and the extent and terms of the facility.
7. A Curriculum Vitae in respect of each member of the management of the association who is responsible for a major functional area which evidences their relevant experience and training.

FORM EB 2**STOCK EXCHANGES CONTROL ACT 1985****(ACT NO 1 OF 1985)**

Application in terms of section 8(2) of the Stock Exchanges Control Act, 1985 (Act No. 1 of

1985), for the renewal by the Registrar of Stock Exchanges of a stock exchange licence.

The Registrar of Stock Exchanges

P O Box 35655

MENLO PARK

Pretoria

0102

1. We, the Chairman, and the Secretary of the stock exchange known as being specifically authorised thereto by the committee of such stock exchange apply on behalf of such stock exchange for the renewal of a stock exchange licence for the year ending 31 December 19.....
2. The prescribed fee of is enclosed.

Witnesses

CHAIRMAN

SECRETARY

ANNEXURE 1 TO FORM EB 2

INFORMATION TO ACCOMPANY AN APPLICATION FOR THE RENEWAL OF A STOCK EXCHANGE LICENCE

1. A copy of the latest annual financial statements of the exchange.
2. A copy of the latest annual budget of the exchange approved by the committee.
3. A copy of the latest strategic planning document of the exchange which has been approved by the committee.
4. A memorandum signed by the Chairman specifying the material changes that have occurred since the information required by paragraphs 2, 4.1, 5.7, 5.8, 5.9 and 6 of Annexure 1 to Form EB1 was last provided and whether there were any changes in its trading method.
5. Confirmation by the secretary and the Chairman of the stock exchange that during the year preceding the date of an application for renewal-

5.1 the rules of the stock exchanges were properly enforced; if certain rules were not

- enforced reasons must be given for the non-enforcement;
- 5.2 the stock exchange, at all times complied with the provisions of the Act;
 - 5.3 the stock exchange, at all times, comprised of at least 10 members who carried on business as buyers and sellers of listed securities, independently of and in competition with one another;
 - 5.4 the stock exchange complied with all written directions, requests, conditions or requirements of the Registrar which were upheld by the appeal board;
 - 5.5 the stock exchange had given effect to all decisions of the appeal board.
6. In the case of a stock exchange already existing at the date of promulgation of these regulations, for the first renewal thereafter,
a memorandum signed by the chairman reflecting the information required by paragraphs 2, 4.1, 5.7, 5.8 and 5.9 of Annexure 1 to Form EB1.

CHAIRMAN

SECRETARY

ANNEXURE 1 TO FORM EB 2

INFORMATION TO ACCOMPANY AN APPLICATION FOR THE RENEWAL OF

A STOCK EXCHANGE LICENCE

1. A copy of the latest annual financial statements of the exchange.
2. A copy of the latest annual budget of the exchange approved by the committee.
3. A copy of the latest strategic planning document of the exchange which has been approved by the committee.
4. A memorandum signed by the Chairman detailing the material changes that have occurred since the information required by paragraphs 2, 4.1, 5.7, 5.8, 5.9 and 6 of Annexure 1 to Form EB1 was last provided and whether there were any changes in its trading method.
5. Confirmation by the secretary and the Chairman of the stock exchange that during the year preceding the date of an application for renewal the rules of the stock exchanges were properly enforced; if certain rules were not

RAAD OP FINANSIËLE DIENSTE

WET OP BEHEER VAN EFFEKTEBEURSE, 1985 (WET No. 1 VAN 1985)

Die Minister van Finansies het kragtens artikel 51 van die Wet op Beheer van Effektebeurse, 1985 (Wet No. 1 van 1985), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywings

1. In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en tensy uit die samehang anders blyk, beteken-

"algemeen aanvaarde rekeningkundige praktyk" rekeningkundige praktyke wat in ooreenstemming is met verklarings van Algemeen Aanvaarde Rekeningkundige Praktyk deur die Openbare Rekenmeesters en Ouditeurs Raad uitgereik of, in die afwesigheid van enige toepaslike verklaring, praktyke wat in Suid-Afrika algemeen aanvaar word.

"die Appèlraad" die raad ingestel by artikel 21 van die Wet;

"die Wet" die Wet op Beheer van Effektebeurse, 1985 (Wet 1 van 1985), soos gewysig;

"kliënt" enige persoon namens wie effekte deur 'n lid gekoop, verkoop of gehou word;

"teenparty" in enige bepaalde transaksie, enige persoon wat effekte van of aan 'n lid koop of verkoop, hetsy vir daardie persoon se eie rekening of namens 'n kliënt;

Aansoek om die uitreiking of hernuwing van 'n effektebeurslisensie

- 2.(1) Iemand wat om die uitreiking van 'n effektebeurslisensie ingevolge die Wet aansoek doen, dien by die Registrateur van Effektebeurse, Posbus 35655, Menlo Park, 0102 'n skriftelike aansoek op vorm EB 1 in. Sodanige aansoek gaan vergesel van:-

- (a) die inligting deur die Registrateur vereis en in Bylae 1 tot vorm EB 1 aangedui;
- (b) die dokumentasie, opgawes en ondernemings in Bylae 2 tot vorm EB 1 aangedui ter ondersteuning van die aansoek.

- (2) Iemand wat om die hernuwing van 'n effektebeurslisensie ingevolge die Wet aansoek doen, dien by die Registrateur van Effektebeurse, Posbus 35655, Menlo Park, 0102 'n skriftelike aansoek op vorm EB 2 in.

- (3) Sodanige aansoek gaan vergesel van die inligting deur die Registrateur vereis en in Bylae 1

tot vorm EB 2 aangedui.

Appèlle na appèlraad

- 3.(1) 'n Appèl kragtens artikel 20(1) van die Wet teen 'n besluit van die komitee of die dissiplinêre tribunaal in artikel 2A(b) van die Wet bedoel, word nie later nie as 20 besigheidsdae na die datum waarop die appellant skriftelik van die redes vir die besluit voorsien is, aangeteken.
- (2) Die appèl in subregulasie (1) bedoel, word aangeteken deur indiening by die sekretaris van die appèlraad-
 - (a) van 'n skriftelike kennisgewing van appèl waarin die gronde van appèl volledig uiteengesit word;
 - (b) van 'n afskrif van die besluit waarteen appèl aangeteken is en die redes vir daardie besluit; en
 - (c) van 'n adres waar enige dokument of kennisgewing in verband met die appèl op die appellant bestel kan word.
- (3) 'n Afskrif van die kennisgewing van appèl in subregulasie (2)(a) bedoel, word ook bestel op die komitee of genoemde dissiplinêre tribunaal, na gelang van die geval, deur die appellant binne 2 besigheidsdae vanaf die kennisgewing van die appèl en bewys van sodanige bestel word by die sekretaris van die appèlraad ingedien.
- (4) Die komitee of genoemde dissiplinêre tribunaal, na gelang van die geval, verskaf binne een maand nadat die appèl aangeteken is, 'n volledig gesertifiseerde rekord van die verrigtinge waartydens die besluit waarteen geappelleer word, geneem is-
 - (a) in sewevoud aan die sekretaris van die appèlraad; en
 - (b) in duplikaat aan die appellant:

Met dien verstande dat die voorsitter van die appèlraad in die geval van 'n uiters dringende appèl die vermelde een maand na minstens sewe dae kan verminder.
- (5) Die sekretaris van die komitee of genoemde dissiplinêre tribunaal, na gelang van die geval, sertifiseer dat die betrokke rekord 'n volledige rekord van die verrigtinge is waartydens die besluit waarteen geappelleer word, geneem is en dat alle bewysstukke tydens daardie verrigtinge oorweeg, ingesluit is by die rekord.
- (6) Die appellant kan die gronde van appèl binne 10 dae na ontvangs van die gesertifiseerde rekord van die verrigtinge beoog in subregulasie (4) aanvul.
- (7) Die appellant verskaf binne 10 besigheidsdae nadat die appellant skriftelik daarvan in kennis gestel is aan die appèlraad sodanige sekerheid vir koste en in die vorm wat die voorsitter van die appèlraad bepaal.
- (8) Die sekretaris van die appèlraad gee die appellant en die komitee of genoemde dissiplinêre tribunaal, na gelang van die geval, minstens 10 besigheidsdae skriftelik kennis, per

aangetekende pos of per hand, van die datum, tyd en plek wat deur die appèlraad vir die verhoor van die appèl vasgestel is.

- (9) Die appellant kan sodanige appèl persoonlik of deur middel van 'n verteenwoordiger voer.
- (10) Die komitee of genoemde dissiplinêre tribunaal, na gelang van die geval, kan die appèl persoonlik of deur middel van 'n verteenwoordiger teenstaan.
- (11) By die afsluiting van die getuienis kan die partye tot die appèl of hulle verteenwoordigers betoog.
- (12) Na afsluiting van die betoog moet die appèlraad-
 - (a) die appèl beslis of uitspraak voorbehou tot 'n latere datum, wat nie later as drie maande na die aanhoor van die appèl mag wees nie; en
 - (b) indien dit regverdig en billik is en die Raad so besluit, 'n kostebevel maak.
- (13) Sodanige uitspraak en bevel word skriftelik gegee en gaan vergesel van die redes vir die uitspraak.
- (14) Die sekretaris van die appèlraad stuur 'n afskrif van die uitspraak en die redes daarvoor aan die partye binne vyf besigheidsdae na ontvangs daarvan.
- (15) Die appèlraad kan 'n appèl beslis selfs as die appellant of die komitee of genoemde dissiplinêre tribunaal nie verskyn of nie by die verhoor verteenwoordig word nie.
- (16) Die algemene praktyk en prosedure van die appèlraad moet, behoudens hierdie regulasies deur die voorsitter van die appèlraad bepaal word.
- (17) Die sekretaris van die appèlraad en sy of haar plaasvervanger, wat nie 'n persoon in diens van enige effektebeurs of die Raad op Finansiële Dienste mag wees nie, word van tyd tot tyd deur die Minister aangestel.

Rekeningkundige rekords

- 4.(1) 'n Lid hou rekeningkundige rekords in stand op 'n aaneenlopende basis in ooreenstemming met algemeen aanvaarde rekeningkundige praktyk, in een van die amptelike tale en in die geldeenheid van die Republiek van Suid-Afrika, sodat rekords te alle tye op datum is of binne 'n redelike tyd op datum gebring kan word.
- (2) 'n Lid se rekeningkundige rekords behoort die lid se transaksies en finansiële verpligtinge en kliënte se transaksies en betalings deur of aan die lid só aan te toon en te verduidelik dat hulle die finansiële posisie van die lid en die posisie van kliënte teenoor die lid met wesentliche akkuraatheid aan die einde van enige besigheidsdag openbaar.
- (3) Kliënte se rekeninge moet as sodanig aangedui word om dit duidelik van die lid se besigheidsrekening te onderskei.
- (4) 'n Lid se rekeningkundige rekords moet as 'n minimum die volgende aantoon:-

- (a) Inskrywings van dag tot dag van alle geldbedrae ontvang en bestee deur die lid, hetsy ten behoeve van homself of ander persone, en die aangeleenthede ten opsigte waarvan die ontvangste en uitgawes geskied het;
- (b) 'n rekord van fondse in trust gehou namens kliënte;
- (c) 'n rekord van alle inkomste en uitgawes van die lid met 'n beskrywing van die aard daarvan;
- (d) 'n rekord van alle bates en laste van die lid, met inbegrip van enige voorsorg vir finansiële verpligtinge of insidentele laste;
- (e) 'n rekord van alle aankope en verkope van effekte deur die lid, waarin die volgende weerspieël word:-
- (i) Die datum en, indien die effektebeurs nie rekords hou van die tyd van elke transaksie op die effektebeurs aangegaan nie, die tyd van elke transaksie;
 - (ii) die persoon van wie die effekte gekoop of aan wie dit verkoop is tensy dit 'n transaksie is wat verwerk is deur 'n geoutomatiseerde verhandelingsstelsel wat deur die betrokke effektebeurs erken word;
 - (iii) die persoon namens wie die effekte gekoop of verkoop is;
 - (iv) die hoeveelheid en beskrywing van die effekte wat gekoop of verkoop is;
 - (v) die naam van die uitreiker van die effekte;
 - (vi) die prys per effek en die totale teenprestasie;
 - (vii) die makelaarsloon;
 - (viii) die belasting wat ten opsigte van elke transaksie in sy kategorie betaalbaar is;
 - (ix) die bepalinge van die kontrak;
- (f) 'n rekord van die ontvangs en lewering van alle effekte en titelbewyse in die besit, veilige bewaring of onder die beheer van die lid, waarin die volgende weerspieël word:-
- (i) Die naam van die uitreiker van die effekte;
 - (ii) die hoeveelheid en beskrywing van die effekte;
 - (iii) die identifikasienommers van die effekte en titelbewyse;
 - (iv) die naam van die geregistreerde houer;

- (v) die persoon van wie die effekte ontvang is en aan wie die effekte gelewer is;
- (vi) die datum van ontvangs en lewering;
- (g) 'n rekord van alle transaksies in opsies op genoteerde effekte en ander finansiële instrumente waarin aangedui word:-
 - (i) Die datum van elke transaksie;
 - (ii) die verwysingsnommer van die transaksie en opsienommer waar toepaslik;
 - (iii) of die transaksie 'n koop of 'n verkoop is;
 - (iv) of die opsie 'n verkoopopsie of koopopsie is;
 - (v) die bepalinge en voorwaardes waarkragtens die opsie uitgeoefen kan word, insluitende die tipe opsie, die trefprys of opbrengs, die verstrykingsdatum en tyd en die vereffeningsdatum;
 - (vi) die identiteit van die skrywer van die opsie;
 - (vii) die hoeveelheid en omskrywing van die genoteerde effek of ander finansiële instrument waarmee die opsie in verband staan;
 - (viii) die opsiepremie en vereffeningsdatum;
 - (ix) die identiteit van die ander party tot die transaksie;
 - (x) of die transaksie aangegaan is as prinsipaal of agent;
 - (xi) die datum en wyse waarop die transaksie aangegaan is, hetsy by wyse van verkoop of uitoefening of verval van die opsie;
- (h) rekords van alle effekte of titelbewyse in die besit, veilige bewaring of onder die beheer van die lid, waarin die volgende weerspieël word:-
 - (i) Die naam van die kliënt of prinsipaal ten behoeve van wie effekte ontvang, gekoop, oor beskik of verkoop is;
 - (ii) die naam van die uitreiker van die effekte;
 - (iii) die hoeveelheid en beskrywing van die effekte;
 - (iv) 'n naspoor identifikasie van die effekte of titelbewyse;
 - (v) die naam van die geregistreerde houer en waar die geregistreerde houer 'n benoemde is, die begunstigde eienaar of eienaars;
 - (vi) die plek waar die effekte of titelbewyse gehou word;

- (vii) die doel waarvoor die effekte of titelbewyse gehou word;
- (viii) besonderhede van enige koste waaraan die effekte onderhewig mag wees;
- (ix) die datums waarop die effekte ontvang en gelewer is;
- (i) rekords van alle effekte deur 'n sentrale effektebewaarnemer of bewaarnemende instelling in opdrag van 'n lid gehou waarin die volgende weerspieël word:-
 - (i) die naam van die uitreikers van die effekte;
 - (ii) 'n beskrywing van die effekte;
 - (iii) die hoeveelheid effekte wat elke begunstigde eienaar toekom;
 - (iv) die volle name van elke begunstigde eienaar;
 - (v) die datums en identifiseerbare getal bewegings wat aanleiding gee tot veranderings in die getal of begunstigde eienaarskap van die effekte;
 - (vi) besonderhede van enige koste waaraan die effekte onderhewig mag wees.
- (5) 'n Lid moet 'n rekord van magtigings hou ter staving van alle transaksies ingevolge artikel 37 en 38 van die Wet, waarin die volgende weerspieël word:-
 - (a) Die datum van die skriftelike magtiging;
 - (b) die naam van die gewer van die magtiging;
 - (c) besonderhede van die transaksie of transaksies waarop die magtiging betrekking het.
- (6) 'n Lid pas saldo's aan by die effektebeurs en ander beurse, waar toepaslik, verrekeningshuise, sentrale effektebewaarnemers, bewaarnemende instellings en banke so gereeld as wat wenslik is vir die volume transaksies op die rekeninge en in elk geval nie minder as weekliks nie. Enige verskille, maar nie verskille in tyd tussen die rekords van die lid en die effektebeurs, ander beurse, verrekeningshuise, sentrale effektebewaarnemers, bewaarnemende instellings of banke, na gelang van die geval, moet onverwyld ondersoek word en so gou as doenlik reggestel word.
- (7) 'n Lid tel die effekte in sy besit, voeg dit by die wat deur enige bewaarder in veilige bewaring gehou word en bring dit daagliks met die rekeningkundige rekords in ooreenstemming. Regstellende inskrywings moet onverwyld gemaak word.
- (8) 'n Lid of sy behoorlik aangestelde agent hou sy rekeningkundige rekords vir 'n tydperk van 5 jaar na die datum waarop die rekords die eerste keer opgestel of voorberei is. 'n Lid hou hierdie rekords gedurende die lopende en die onmiddellik voorafgaande jaar op 'n plek waar die lid sake bedryf. Daarna moet die rekords binne 48 uur beskikbaar gestel kan word op 'n plek waar die lid sake bedryf.

- (9) 'n Lid kan gerekenariseerde rekords hou mits sodanige rekords in harde gedrukte vorm gereproduseer kan word.

Interne beheer en risikobestuur

5.(1) 'n Lid moet sover as wat redelik is-

- (a) toereikende interne beheerstelsels vestig en handhaaf; en
- (b) gesonde risikobestuursbeginsels en -prosedures aanneem en in staat wees om die doelwitte en werking van sodanige stelsels, beginsels en prosedures aan sy ouditeur, die komitee en die Registrateur te beskryf en te demonstreer.

(2) Die interne beheerstelsels ontwerp word om te verseker dat-

- (a) alle transaksies en finansiële verpligtinge aangegaan, aangeteken word en binne die bevoegdheidsbestek is van die lid of die beampte of werknemer wat namens die lid optree;
- (b) daar prosedures is om die lid se bates en bates wat aan enige ander persoon behoort waarvoor die lid aanspreeklik is, te beveilig, en om laste te beheer;
- (c) daar maatreëls is, sover redelikerwys moontlik, om die risiko van verliese deur die lid of die lid se kliënte as gevolg van enige onreëlmatigheid, bedrog of fout te minimaliseer en om enige onreëlmatigheid, bedrog of fout op te spoor indien dit sou plaasvind sodat onmiddellike regstellende aksies deur die lid of die lid se bestuur geneem kan word;
- (d) die lid se trustrekening daagliks gemonitor word om te verseker dat alle ontvangste deur en betalings uit die trustrekening korrek gemaak word;
- (e) die lid se rekords van veilige bewaring weekliks aangepas word.

(3) Die beginsels en prosedures van risikobestuur word ontwerp om te verseker dat die lid se rekords op so 'n wyse gehou word dat finansiële en besigheidsinligting tydig geopenbaar word wat die lid of die lid se bestuur in staat stel om-

- (a) die lid se risikoblootstelling te identifiseer, te kwantifiseer, te beheer en te bestuur;
- (b) tydige en ingeligte besigheidsbesluite te neem;
- (c) die prestasie en alle aspekte van die lid se besigheid te monitor;
- (d) die lid se kapitaal te monitor om nakoming van die kapitaaltoereikendheidsvereiste, soos ingevolge die reëls voorgeskryf, te verseker.

Oudit ingevolge artikel 43 van die Wet

- 6.(1) Bykomend tot die aangeleenthede waarvoor in artikel 43(2)(b) van die Wet voorsiening gemaak is, moet die ouditeursverslag die volgende meld:

- (a) Of effekte wat toevertrou is aan die lid of waarvoor die lid teenoor enige persoon aanspreeklik is, ingevolge die Wet, die regulasies en die toepaslike mandate, wat ten tyde van die finansiële jaareinde bestaan het, geregistreer en gehou is.
- (b) Of dit onder die aandag van die ouditeur gekom het dat die lid vir 'n aansienlike gedeelte van die tydperk waarop die oudit betrekking het, nie toereikende kapitaal, soos vereis deur die Wet en die reëls, gehou het nie.
- (c) Of die finansiële state die finansiële posisie van die betrokke lid redelikerwys weergee soos op die datum daarvan en die resultate van die lid se verrigtinge en kontantvloei vir die tydperk waarop die oudit betrekking het in ooreenstemming met algemeen aanvaarde rekeningkundige praktyk.
- (2) Indien 'n lid ophou om as 'n lid besigheid te dryf voor die laaste dag van die finansiële jaar van daardie lid, laat sodanige voormalige lid 'n oudit van die besigheid binne drie maande, of sodanige latere datum as wat die Registrateur mag toelaat, na die beëindiging van die besigheid onderneem en die oudit moet die tydperk vanaf die eerste dag van die betrokke finansiële jaar tot die datum van sodanige beëindiging dek. Met dien verstande dat vir die doeleindes van hierdie subregulasie 'n lid wat 'n vennootskap is, nie geag word op te gehou het om as lid besigheid te dryf nie as gevolg van die toelating van 'n nuwe vennoot nie.
- (3) Indien 'n lid ophou om as 'n lid besigheid te dryf soos in subregulasie (2) beoog, moet sodanige voormalige lid-
- (a) die effektebeurs waarvan hy 'n lid was onmiddellik skriftelik in kennis stel van sodanige beëindiging;
- (b) nie later nie as een maand na die datum waarop sy lidmaatskap beëindig is, aan elke kliënt met wie die lid gedurende die vorige ses maande sake gedoen het, 'n brief stuur in 'n vorm deur die komitee goedgekeur ten einde die kliënt in te lig dat sodanige voormalige lid opgehou het om as lid besigheid te doen;
- (c) alle mandate en volmagte van kliënte in die lid se besit, kanselleer;
- (d) finale rekeningstate aan die betrokke kliënte stuur;
- (e) die lewering van effekte, fondse en enige ander bates toevertrou aan sodanige lid, aan die betrokke kliënte bewerkstellig;
- (f) die komitee en, op versoek, die Registrateur voorsien van-
- (i) die ouditeursverslag vermeld in artikel 43(2)(b) van die Wet en in subregulasie (1) vir die tydperk in subregulasie (2) vermeld; en
- (ii) 'n verslag deur die ouditeur waarin verklaar word-
- (aa) dat die voormalige lid voldoen het aan die bepalings van subregulasie 3(b), 3(c), 3(d) en 3(e); en
- (bb) dat die voormalige lid ooreenkomstig die rekeningkundige en ander

rekords al die finansiële verbintenisse en verpligtinge voortspruitend uit sodanige voormalige lid se besigheid, ten volle nagekom het of sodanige finansiële verbintenisse en verpligtinge met die toestemming van die komitee aan 'n ander lid oorgedra het.

- (4) Die bepalings van subregulasies (2) en (3) is, met die nodige veranderings, ook van toepassing op die likwidateur of kurator van die boedel van 'n voormalige lid.

Gelde

- 7.(1) Die gelde in die laaste kolom van die volgende tabel uiteengesit, is betaalbaar ten opsigte van elke item daarteenoor vermeld:

Item	Gelde
(a) Aansoek om die uitreiking van 'n effektebeurslisensie	R75 000
(b) Aansoek om die hernuwing van 'n effektebeurslisensie	R 5 000
(c) Aansoek om goedkeuring om as 'n portefeuljebestuurder op te tree	R 5 000

- (2) Gelde bedoel in subregulasie (1) is betaalbaar -

- (a) deur die betrokke aansoeker ten tyde van die indien van die betrokke aansoek; en
- (b) indien deur middel van 'n tjek, posorder of geldwissel betaal word, moet dit ten gunste van die Raad op Finansiële Dienste uitgemaak word.
- (3) Sodanige gelde wat nie betaal word wanneer dit ingevolge hierdie regulasie betaalbaar is nie, dra rente teen 'n koers per jaar gelykstaande aan die heersende prima oortrekkingskoers van die Standard Bank van Suid-Afrika.

Herroeping van regulasies

8. Die regulasies gepubliseer in Goewermentskenningsgewing No. R 10350 van 18 Julie 1986, soos gewysig, word hierby herroep.

VORM EB1

WET OP BEHEER VAN EFFEKTEBEURSE, 1985 (WET NR. 1 VAN 1985)

Aansoek ingevolge artikel 8(2) van die Wet op Beheer van Effektebeurse, 1985 (Wet Nr. 1 van 1985), om die uitreiking van 'n effektebeurslisensie deur die Registrateur van Effektebeurse.

Die Registrateur van Effektebeurse
Posbus 35655
MENLO PARK
Pretoria
0102

1. Ons, die Voorsitter, en die Sekretaris van 'n vereniging bekend as die spesifiek deur die lede van genoemde vereniging ingevolge sy grondwet gemagtig, doen hierby namens die gemelde vereniging aansoek om die uitreiking van 'n effektebeurslisensie vir die jaar wat eindig op 31 Desember 19.....
2. Die voorgeskrewe aansoekfooi van is ingesluit.
3. (a) Die plek waar die besigheid van die effektebeurs bedryf sal word, is; en
(b) die verhandelingswyse of -fasiliteit waarvolgens die besigheid van die effektebeurs bedryf sal word, is
4. Vyf afskrifte van die voorgestelde reëls van die vereniging, goedgekeur deur die lede van die vereniging ingevolge die grondwet, is ingesluit.

Getuies

.....
VOORSITTER

.....
SEKRETARIS

BYLAE 1 TOT VORM EB 1

Inligting wat 'n aansoek om die uitreiking van 'n effektebeurslisensie moet vergesel.

1. Administratiewe inligting
 - 1.1 Die naam van die vereniging en die naam wat dit sal aanneem indien 'n effektebeurslisensie daaraan uitgereik word.
 - 1.2 Die pos-adres, fisiese adres en elektroniese posadres van die geregistreerde of hoofkantoor van die vereniging waar dit alle dokumente vir die doel van hierdie aansoek sal ontvang.
 - 1.3 Die telefoon- en faksimile-nommers van die vereniging, sy voorsitter en sekretaris.
 - 1.4 'n Lys wat die volle name, adresse en telefoonnommers van elke lid van die vereniging soos op die datum van aansoek om 'n effektebeurs-lisensie aandui.
 - 1.5 'n Lys wat die volle name van die komiteelede van die vereniging aandui.

- 1.6 'n Lys wat die name, fisiese en posadresse, telefoon- en faksimilee- nommers aandui van-
- (a) die bankiers van die vereniging;
 - (b) die ouditeure van die vereniging;
 - (c) die prokureurs van die vereniging; en
 - (d) enige ander professionele adviseurs betrokke by die aansoek om 'n effektebeurslisensie.

2. Grondwet van die vereniging

'n Afskrif van die grondwet van die vereniging, goedgekeur deur die lede van die vereniging, wat minstens die volgende omvat:

- 2.1 die aard van die vereniging;
- 2.2 die oogmerke van die vereniging;
- 2.3 die bevoegdhede van die vereniging;
- 2.4 die kategorieë van lidmaatskap en die toelatingsvereistes en -prosedures met betrekking tot lidmaatskap;
- 2.5 die samestelling, bevoegdhede en verantwoordelikhede van die komitee;
- 2.6 die prosedure vir verkiesing of aanstelling van lede van die komitee, hulle onttrekking aan die komitee en hul ampstermyn;
- 2.7 die prosedure vir die byeenroep van vergaderings van lede van die vereniging;
- 2.8 die stemregte van lede van die vereniging;
- 2.9 die aanstelling van ouditeure; en
- 2.10 die prosedure vir die ontbinding van die vereniging.

3. Toereikendheid van finansiële hulpbronne

- 3.1 Indien die vereniging vir langer as 'n jaar bestaan, 'n afskrif van sy geouditeerde jaarlikse finansiële state soos op sy jongste finansiële jaareinde; en
- 3.2 'n afskrif van die begrote inkomstestaat, balansstaat en kontantvloeistaat-
 - (a) ten opsigte van 'n vereniging wat langer as 'n jaar bestaan, vir 'n tydperk vanaf die datum van die jongste jaarlikse finansiële state tot 'n datum nie vroeër as een jaar en ook nie later as 18 maande na die datum van aansoek om 'n effektebeurslisensie nie;

- (b) ten opsigte van 'n vereniging wat korter as 'n jaar bestaan, 'n afskrif van die begrote inkomstestaat, balansstaat en kontantvloeistaat vir 'n tydperk wat eindig nie vroeër as een jaar en ook nie later as 18 maande na die datum van aansoek om 'n effektebeurslisensie nie.
4. Toereikendheid van bestuurshulpbronne
- 4.1 'n Afskrif van die bestuurstruktuur van die vereniging met inbegrip van die name van die individue verantwoordelik vir die belangrikste funksionele areas en die hoeveelheid personeel in diens in elke funksionele area.
- 4.2 'n Afskrif van die vooruitskattings van bestuur- en personeelbehoefte vir die tydperk gedek deur die begrotings ingevolge 3.2 hierbo voorsien.
5. Voorgestelde besigheid van die beurs
- 'n Afskrif van die besigheidsplan van die vereniging wat deur die komitee goedgekeur is en wat minstens die volgende aanspreek:
- 5.1 Die bestek van beleggings voorgestel vir notering op die beurs en die vereistes vir notering.
- 5.2 Die verwagte bestek van beide plaaslike en buitelandse beleggers wat deur middel van die beurs sal belê.
- 5.3 Die voordele vir sodanige beleggers om deur middel van die beurs te belê.
- 5.4 Beplande ontwikkeling van die stelsels en infrastruktuur van die vereniging.
- 5.5 Planne ten einde die integriteit van die mark en sy lede te verseker.
- 5.6 Die omvang en wyse waarop pryse gepubliseer sal word.
- 5.7 Die toesighoudingsprosedures wat tot stand gebring is ten einde te verseker dat lede voldoen aan die voorgestelde reëls van die vereniging en die vereistes van die Wet, indien gelisensieerd, en die hulpbronne van die vereniging beskikbaar om hierdie funksie uit te voer.
- 5.8 Prosedures wat gevolg moet word ten einde lede van die vereniging wat nalaat om aan sy reëls en die bepalinge van die Wet te voldoen, effektief te dissiplineer.
- 5.9 Sekuriteitsprosedures ten einde die integriteit van die stelsels om transaksies en die eienaarskap van effekte te boekstaaf, en die vermoë van hierdie stelsels met betrekking tot die begrote getal transaksies te verseker, en rugsteunhulpbronne beskikbaar in die geval van 'n onderbreking van die stelsel.
- 5.10 Verslae en publikasies wat aan die beleggerspubliek beskikbaar gestel gaan word met betrekking tot die lidmaatskap van die vereniging, transaksies uitgevoer op die beurs en die effekte genoteer deur die beurs en die wyse waarop sodanige inligting versprei sal word.

6. Waarborgfonds
 - 6.1 'n Afskrif van die reëls van die voorgestelde Waarborgfonds.
 - 6.2 'n Verklaring deur die Voorsitter van die vereniging aangaande die wyse waarop die Waarborgfonds befonds sal word, met inbegrip van die mate waartoe die Fonds deur 'n versekeringspolis onderskryf sal word.
 - 6.3 'n Afskrif van die pro forma polisdokument.
7. Openbare belang

'n Memorandum wat enige aspekte, wat nie reeds in die vorige afdelings behandel is nie, uiteensit wat daarop kan dui dat die toestaan van 'n effektebeurslisensie die belange van die publiek sal dien.

BYLAE 2 TOT VORM EB 1

Gedokumenteerde verklarings en ondernemings wat verskaf moet word ter ondersteuning van die inligting verskaf ingevolge Bylae 1

1. 'n Verklaring van die Voorsitter van die vereniging waarin bevestig word dat die komitee homself vergewis het dat-
 - 1.1 alle lede van die vereniging of, waar die lid 'n regspersoon is, alle persone wat sy aktiwiteite bestuur en beheer, van goeie inbors en integriteit is;
 - 1.2 alle lede voldoen aan die minimum kapitaalvereistes vir lidmaatskap; en
 - 1.3 die vereniging uit ten minste 10 lede bestaan.
2. 'n Onderneming deur elke stigterslid van die vereniging dat hy of sy as 'n lid van die voorgestelde effektebeurs onafhanklik van en in mededinging met mekaar sal besigheid bedryf.
3. 'n Curriculum Vitae ten opsigte van elke lid van die komitee wat hul betrokke ondervinding en opleiding en die name van 3 referente aandui.
4. 'n Verklaring onderteken deur elke komiteelid ten effekte dat hul onbewus is van enige rede waarom hul nie in staat sal wees om hul ampstermyn as komiteelid te voltooi nie.
5. 'n Verklaring onderteken deur die Voorsitter van die vereniging waarin die kritiese aannames gemaak ter voorbereiding van begrotings aangebied ingevolge Bylae 1 en, in die besonder, die bronne waaruit die beurs befonds sal word, uiteengesit word.
6. Waar reëlins getref is vir die befondsing van enige tydelike tekort in beskikbare kontantbronne, moet 'n verklaring voorsien word deur die betrokke party of partye waarin hulle hul verbondenheid om leningsfasiliteite aan die vereniging te voorsien en die omvang en terme van die fasiliteit uiteensit.

7. 'n Curriculum Vitae ten opsigte van elke lid van die bestuur van die vereniging wat verantwoordelik is vir 'n belangrike funksionele area, wat hul toepaslike ondervinding en opleiding aandui.

VORM EB 2**WET OP BEHEER VAN EFFEKTEBEURSE, 1985 (WET NR. 1 VAN 1985)**

Aansoek ingevolge artikel 8(2) van die Wet op Beheer van Effektebeurse, 1985 (Wet Nr. 1 van 1985), om die hernuwing van 'n effektebeurslisensie deur die Registrateur van Effektebeurse.

Die Registrateur van Effektebeurse

Posbus 35655

MENLO PARK

Pretoria

0102

1. Ons die Voorsitter, en die Sekretaris van die effektebeurs bekend as spesifiek daartoe gemagtig deur die komitee van sodanige effektebeurs doen namens sodanige effektebeurs aansoek om die hernuwing van 'n effektebeurslisensie vir die jaar wat op 31 Desember 19..... eindig.
2. Die voorgeskrewe fooi van is ingesluit.

Getuies

.....
VOORSITTER

.....
SEKRETARIS

BYLAE 1 TOT VORM EB 2

Inligting wat 'n aansoek om die hernuwing van 'n effektebeurslisensie moet vergesel.

1. 'n Afskrif van die jongste finansiële jaarstate van die beurs.
2. 'n Afskrif van die jongste jaarlikse begroting van die beurs wat deur die komitee goedgekeur is.
3. 'n Afskrif van die jongste strategiese beplanningsdokument van die beurs wat deur die komitee

goedgekeur is.

4. 'n Memorandum, geteken deur die Voorsitter, wat die wesenlike veranderinge aandui wat plaasgevind het sedert die inligting voorsien is wat deur paragrawe 2, 4.1, 5.7, 5.8, 5.9 en 6 van Bylae 1 tot vorm EB1 vereis word en of daar enige veranderinge ten opsigte van die verhandelingswyse was.
5. Bevestiging deur die sekretaris en die Voorsitter van die effektebeurs dat gedurende die jaar wat die datum van die aansoek om hernuwing voorafgaan-
 - 5.1 die reëls van die effektebeurs behoorlik toegepas is; indien bepaalde reëls nie toegepas is nie moet redes verstrek word waarom dit nie toegepas is nie;
 - 5.2 die effektebeurs te alle tye voldoen het aan die bepalings van die Wet;
 - 5.3 die effektebeurs te alle tye uit ten minste 10 lede bestaan het wat onafhanklik van en in mededinging met mekaar besigheid as kopers en verkopers van genoteerde effekte gedoen het;
 - 5.4 die effektebeurs voldoen het aan alle geskrewe voorskrifte, versoeke, voorwaardes of vereistes van die Registrateur wat deur die Appèlraad bekragtig is;
 - 5.5 die effektebeurs aan alle besluite van die appèlraad gehoor gegee het.
6. In die geval van 'n effektebeurs wat reeds bestaan het op die datum van uitvaardiging van hierdie regulasies, vir die eerste hernuwing daarna, 'n verslag deur die Voorsitter onderteken wat die inligting vereis deur paragrawe 2, 4.1, 5.7, 5.8 en 5.9 van Bylae 1 tot vorm EB1, weerspieël.

No. R. 595

12 April 1996

FINANCIAL SERVICES BOARD

AMENDING REGULATIONS: SAFE DEPOSIT OF SECURITIES ACT, 1992

The Minister of Finance has under section 14 of the Safe Deposit of Securities Act, 1992 (Act No. 85 of 1992), made the regulations in the Schedule.

SCHEDULE

[General Notice: Words in square brackets ([]) indicate omissions and words underlined with a solid line (____) indicate insertions.]

Definition

1. In these regulations "the Regulations" means the Regulations promulgated by Government Notice No. R.904 in *Government Gazette* No. 14752 of 21 May 1993, as amended by Government Notice No. R.1651 in *Government Gazette* No. 15096 of 3 September 1993.

Substitution of regulation 2 of Regulations

2. The following regulation is hereby substituted for regulation 2 of the Regulations:

- "2. (1) Any [person applying for authorisation to act as] application to the Registrar for authorization as a depositary institution [- (a)] shall be accompanied by Form SD.1, attached to these regulations, duly completed by the applicant.
- (2) Such application shall be accompanied -
- (a) by completed and signed declarations in the format of the Annexure to Form SD.1 by every person referred to in that Annexure; and
- (b) by -
- (i) a copy of the latest audited financial statements in respect of any business carried on by the applicant, or in the absence of such business, a statement of the assets and liabilities of the applicant; and

- (ii) a report by the auditor of the applicant confirming that adequate systems and procedures are in operation relating to risk reduction particularly by means of processing, physical, logical security, backup and contingency controls to ensure the safe custody of securities deposited. [supply to the Registrar his or its name and business address;
- (b) shall supply to the Registrar, in the case of -
 - (i) a company incorporated under the Companies Act, 1973 (Act No. 61 of 1973), a list of the members of its board of directors, or shareholders holding 10 per cent or more of the shares in the company, and the name of the beneficiary(ies) where any such shareholding is held by a nominee;
 - (ii) a partnership, a list of its partners;
 - (iii) a close corporation, a list of its members;
 - (iv) any body corporate other than a company or close corporation, a list of the persons concerned in the management of the body corporate or who have control of the body corporate;
- (c) shall supply to the Registrar particulars of the place where, and of the manner in which, the applicant plans to hold securities in safe custody for purposes of the Act;
- (d) shall complete and return to the Registrar a questionnaire, which-
 - (i) shall be drafted by the Registrar;
 - (ii) shall be available at the Office of the Registrar; and
 - (iii) shall deal with the ascertainment of the honesty, competency and financial soundness of the applicant and his or its management and staff, so as to enable the Registrar to form an opinion on the suitability of the applicant for purposes of the required authorisation; and
- (e) shall supply to the Registrar the financial statements and other information as requested by him.]".

Substitution of regulation 3 of Regulations

3. The following regulation is hereby substituted for regulation 3 of the Regulations:

"3. Any public company applying for registration as a central securities depository-

(a) shall complete and return to the Registrar in the format of Form SD. [1]2, attached to these regulations, together with completed and signed declarations by all directors of the applicant company, in the format of the Annexure to Form SD.2;

(b) shall supply to the Registrar -

(i) five [so many] copies of its rules to be approved by the Registrar, and a copy of its latest audited financial statements [as he deems necessary]; and

(ii) a copy of its Memorandum and Articles of Association. [a list of his or its shareholders, the percentage of the shareholding of each shareholder, and the name of the beneficiary(ies) where any such shareholding is held by a nominee;

(iii) the name and composition of his or its controlling body;

(iv) the name and status of each member of his or its board of directors;

(v) a copy of his or its Memorandum and Articles of Association;

(vi) the name of the place where he or it plans to hold securities in safe custody in terms of its rules; and

(vii) a list of the securities to be held in safe custody in terms of its rules; and

(c) shall complete and return to the Registrar a questionnaire which-

(i) shall be drafted by the Registrar;

(ii) shall be available at the Office to the Registrar; and

(iii) subject to section 9(5) of the Act, shall deal with the ascertainment of the honesty, competency and financial soundness of the applicant and its management and staff, to enable the Registrar to form an opinion on the suitability of the applicant for purposes of the required registration.]"

Amendment of regulation 4 of Regulations

4. Regulation 4 of the Regulations is hereby amended by the substitution for paragraph (b) of subregulation (1) of the following paragraph:

"(b) all moneys received or paid by him or it, including dividends, interest and other payments made by the issuer of securities deposited **[with him or it]**, and the disbursement of such dividends, interest and payments to depositors; and".

Amendment of regulation 5 of Regulations

5. Regulation 5 of the Regulations is hereby amended -

- (a) by the deletion in subregulation (1) in the words preceding paragraph (a) of the words "his or";
- (b) by the deletion in subregulation (3) of the words "his or"; and
- (c) by the addition of the following subregulation:

"(4) In the event of any amalgamation or transfer of business in terms of this regulation, such amalgamation or transfer shall not take place unless the concerned central securities depositories have notified the depository institutions of such intention and the procedure to be followed in such amalgamation or transfer.".

Substitution of Form SD.1

6. The following form is hereby substituted for Form SD.1 attached to the Regulations:

"FORM SD.1

SAFE DEPOSIT OF SECURITIES ACT, 1992

(ACT NO. 85 OF 1992)

APPLICATION FOR AUTHORISATION UNDER SECTION 2(1)(a)**TO ACT AS DEPOSITORY INSTITUTION**

(To be completed and signed by the Applicant, if a natural person, and by two persons properly authorized thereto where the Applicant is a juristic person or an unincorporated association. The information furnished should be correct as at the date of the application.)

TO: The Registrar of Financial Markets

PO Box 35655

MENLO PARK

0102

1. PARTICULARS OF APPLICANT, IF A NATURAL PERSON

- 1.1 Surname:
- 1.2 Full Names:
- 1.3 Identity number:
- 1.4 Name of business/enterprise:
- 1.5 Telephone: Business:
Residence:
- 1.6 Street address of registered office or main place of business:
- 1.7 Postal address:
- 1.8 Particulars of members of management (if any):
- 1.9 Name and address of Applicant's auditor(-s):
- 1.10 Particulars of the place where and the manner in which the Applicant intends to hold securities in safe custody:
- 1.11 A list or description of the types of securities to be held in safe custody:

2. PARTICULARS WHERE APPLICANT IS A JURISTIC PERSON OR AN UNINCORPORATED ASSOCIATION:

- 2.1 Name, and registration number (if any):
- 2.2 Street address of registered office or main place of business:
- 2.3 Postal address:
- 2.4 Particulars of any person holding, in the case of a company or a close corporation, as nominee or beneficial owner 10% or more of any class of shares in the Applicant, or as member, interest in the Applicant, and the percentage of the shareholding of each such owner or interest holding of each such member:

- 2.5 In the case of a body corporate not being a company or a close corporation, or of an unincorporated association, particulars of all members:
- (NOTE: If members total more than 10, extracts of membership registers or lists may be attached to the application, which shall be certified correct by the persons applying on behalf of the Applicant.)
- 2.6 Full names, in the case of a company, of all directors and the capacities in which they serve:
- 2.7 Full names, in the case of any body corporate not being a company, or of any unincorporated association, of all persons serving as trustees, directors or in any other management capacity:
- 2.8 Full names of all members of the management of the Applicant:
- 2.9 Name and address of Applicant's auditor(-s):
- 2.10 Particulars of the place where and the manner in which the Applicant intends to hold securities in safe custody:
- 2.11 A list or description of the types of securities to be held in safe custody:

3. I/We attach to this Application:

- 3.1 a copy of the latest audited financial statements in respect of the business of the Applicant or, in the absence of such business, a statement of the assets and liabilities of the Applicant;
- 3.2 a report from the Applicant's auditor to the effect that adequate systems and procedures are in operation relating to risk reduction particularly by means of processing, physical, logical security, backup and contingency controls to ensure safe custody of securities deposited.

SIGNED BY/ON BEHALF OF APPLICANT:

Name

Name

Capacity

Capacity

Date

Date

ANNEXURE TO FORM SD. 1

DECLARATION TO BE COMPLETED, IN THE CASE OF A NATURAL PERSON, BY SUCH PERSON; IN THE CASE OF A COMPANY, BY EACH MEMBER OF THE BOARD OF DIRECTORS; IN THE CASE OF A CLOSE CORPORATION, BY EVERY MEMBER; IN THE CASE OF ANY OTHER BODY CORPORATE, OR AN UNINCORPORATED ASSOCIATION, BY EACH TRUSTEE, DIRECTOR OR, OTHERWISE, MEMBER OF THE CONTROLLING BODY; AND, IN ANY SUCH CASE, BY EACH MEMBER OF THE MANAGEMENT OF THE APPLICANT

1. Have you at any time been convicted of any offence, excluding -
 - (a) any offence committed when under 18 years, unless the offence was committed within a period of ten years preceding the date of this declaration;
 - (b) any road traffic offence;
 - (c) any political offence?If so, give particulars of the court which convicted, the offence, the penalty imposed and the date of conviction:
2. Have you, in the RSA or elsewhere, at any time been censured, disciplined, warned as to future conduct, or been made the subject of a court order at the instigation of any regulatory authority or any professional body to which you belong or belonged, or ever held a certificate required by law for the practice of any profession or occupation, subject to conditions? If so, give particulars thereof:
3. Have you, or any body corporate, partnership or unincorporated association with which you are, or have been associated as a director, executive officer, partner or member at any time been the subject of an investigation, in the RSA or elsewhere, by or at the instigation of a government department or agency, professional body or other regulatory authority? If so, give particulars thereof:
4. Have you, in the RSA or elsewhere, at any time been dismissed from any office or employment, or been subject to disciplinary proceedings by an employer or been barred from entry to any profession or occupation? If so, give particulars thereof:
5. Have you at any time failed to satisfy any debt adjudged due and payable by you as a judgment-debtor under an order of a court in the RSA or elsewhere, or made

any compromise with your creditors within a period of 10 years preceding the date of this declaration? If so, give particulars thereof:

6. Has your estate at any time been sequestrated (either provisionally or finally) by a court in the RSA or elsewhere? If so, give particulars thereof:

7. Has a company of which you were a beneficial owner of 10 per cent or more of any class of shares in the company, or any director, officer or a member of the management of such company, or any other body corporate or unincorporated association of which you are or have been a member, at any time been placed under judicial management or in liquidation? If so, give particulars thereof: ..
.....

8. Complete and sign the following:

I, the undersigned,
hereby certify that, to the best of my knowledge, the information and answers furnished and given above are complete and accurate in all respects.

I hereby undertake that, as long as I continue to be a member of the board of directors or of the corporation, or a trustee, director or member of the controlling body, as the case may be, or, a member of the management, of the Applicant

and the Applicant is authorised under Act 85 of 1992 to act as a depository institution, I shall notify the Registrar of Financial Markets of any occurrence which would have had to be disclosed above had it occurred on or before the date of this declaration, not later than 21 days from the date on which such occurrence takes place or otherwise comes to my notice.

Signature

Date".

Addition of Form SD.2

7. The following form is hereby added to the Regulations:

"FORM SD.2

**SAFE DEPOSIT OF SECURITIES ACT, 1992
(ACT NO. 85 OF 1992)**

APPLICATION UNDER SECTION 9 FOR REGISTRATION AS CENTRAL SECURITIES DEPOSITORY

*(To be completed and signed by two persons properly authorized thereto by the Applicant.
The information furnished should be correct as at the date of the application.)*

TO: The Registrar of Financial Markets

P.O. Box 35655

MENLO PARK

0102

1. PARTICULARS OF APPLICANT

- 1.1 Registered name:
- 1.2 Street address or registered address or principal place of business: . . .
- 1.3 Postal address:
- 1.4 Particulars of any person holding as nominee or beneficial owner 10% or more of any class of shares in the Applicant, and percentage of shareholding of each such owner(-s):
- 1.5 Full names of all directors and the capacities in which they serve:
- 1.6 Particulars of other directorships and the relevant periods:
- 1.7 Full names of all members of the management of the Applicant:
- 1.8 Name and address of auditor(-s):
- 1.9 Names of its members:
- 1.10 Particulars of the place where and the manner in which the Applicant intends holding securities in safe custody:
- 1.11 A list or description of the types of securities to be held in safe custody:

2. I/We attach to this Application:

- 2.1 a copy of the latest audited financial statements in respect of the business of the Applicant or, in the absence of such business, a statement of the assets and liabilities of the Applicant;
- 2.2 a report from the Applicant's auditor to the effect that adequate systems and procedures are in operation relating to risk reduction particularly by means of processing, physical, logical security, backup and contingency controls to ensure safe custody of securities deposited.

SIGNED ON BEHALF OF THE APPLICANT COMPANY

Name

Name

Capacity

Capacity

Date

Date

ANNEXURE TO FORM SD.2**DECLARATION TO BE COMPLETED BY EACH DIRECTOR OF THE APPLICANT COMPANY**

1. Have you at any time been convicted of any offence, excluding -
 - (a) any offence committed when under 18 years, unless the offence was committed within a period of ten years preceding the date of this declaration;
 - (b) any road traffic offence;
 - (c) any political offence?
 If so, give particulars of the court which convicted, the offence, the penalty imposed and the date of conviction:
2. Have you, in the RSA or elsewhere, at any time been censured, disciplined, warned as to future conduct, or been made the subject of a court order at the instigation of any regulatory authority or any professional body to which you belong or belonged, or ever held a certificate required by law for the practice of any profession or occupation, subject to conditions? If so, give particulars thereof:
3. Have you, or any body corporate, partnership or unincorporated association with which you are, or have been associated as a director, executive officer, partner or member at any time been the subject of an investigation, in the RSA or elsewhere, by or at the instigation of a government department or agency, professional body or other regulatory authority? If so, give particulars thereof:
4. Have you, in the RSA or elsewhere, at any time been dismissed from any office or employment, or been subject to disciplinary proceedings by an employer or been barred from entry to any profession or occupation? If so, give particulars thereof:

5. Have you any time failed to satisfy any debt adjudged due and payable by you as a judgment-debtor under an order of a court in the RSA or elsewhere, or made any compromise with your creditors within a period of 10 years preceding the date of this declaration? If so, give particulars thereof:
6. Has your estate at any time been sequestrated (either provisionally or finally) by a court in the RSA or elsewhere? If so, give particulars thereof:
7. Has a company of which you were a beneficial owner of 10 per cent or more of any class of securities in the company, or any director, officer or a member of the management of such company, or any other body corporate or unincorporated association of which you are or have been a member, at any time been placed under judicial management or in liquidation? If so, give particulars thereof:
8. Complete and sign the following:

I, the undersigned,
hereby certify that, to the best of my knowledge, the information and answers
furnished and given above are complete and accurate in all respects.

I hereby undertake that, as long as I continue to be a member of the board of
directors or of the management of the company
and that company is registered under Act 85 of 1992 as a central securities
depository, I shall notify the Registrar of Financial Markets of any occurrence which
would have had to be disclosed above had it occurred on or before the date of this
declaration, not later than 21 days from the date on which such occurrence takes
place or otherwise comes to my notice.

Signature

Date "

RAAD OP FINANSIËLE DIENSTE

WYSIGENDE REGULASIES: WET OP DIE VEILIGE BEWARING VAN EFFEKTE, 1992

Die Minister van Finansies het kragtens artikel 14 van die Wet op die Veilige Bewaring van Effekte, 1992 (Wet No. 85 van 1992), die regulasies in die Bylae uitgevaardig.

BYLAE

[Algemene Kennisgewing: Woorde in vierkantige hakies ([]) dui weglatings en woorde met 'n volstreep daaronder (___) dui invoegings aan.]

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies" die Regulasies afgekondig by Goewermentskennisgewing No. R.904 in *Staatskoerant* No. 14752 van 21 Mei 1993, soos gewysig deur Goewermentskennisgewing No. R.1651 in *Staatskoerant* No. 15096 van 3 September 1993.

Vervanging van regulasie 2 van die Regulasies

2. Regulasie 2 van die Regulasies word hierby deur die volgende regulasie vervang:

"2. (1) Enige **[persoon wat aansoek doen om magtiging om as]** aansoek aan die Registrateur vir magtiging as 'n bewaarnemende instelling [op te tree -(a)] moet vergesel gaan van Vorm SD.1, aangeheg by hierdie regulasies, behoorlik ingevul deur die aansoeker.

(2) Sodanige aansoek moet vergesel gaan -

(a) van voltooide en getekende verklarings in die formaat van die Aanhangsel tot Vorm SD.1 deur elke persoon waarna in daardie Aanhangsel verwys word; en

(b) van -

(i) 'n afskrif van die jongste geouditeerde finansiële state ten opsigte van enige besigheid wat deur die aansoeker bedryf word, of in die afwesigheid van sodanige besigheid, 'n verklaring van die bates en laste van die aansoeker; en

- (ii) 'n verslag van die ouditeur van die aansoeker wat bevestig dat voldoende stelsels en prosedures in verband met risikovermindering in werking is in besonder met verwerking-, fisieke-, logiese sekuriteit-, rugsteun- en gebeurlikheidsbeheer om die veilige bewaring van gedeponeerde effekte te verseker. [sy naam en besigheidsadres aan die Registrateur verskaf;
- (b) moet aan die Registrateur verskaf in die geval van -
- (i) 'n maatskappy geïnkorporeer ingevolge die Maatskappywet, 1973 (Wet No. 61 van 1973), 'n lys van die lede van sy raad van direkteure, van aandeelhouders wat 10 persent of meer van die aandele in die maatskappy hou, en die naam van die bevoordeelde(s) waar enige sodanige aandeelhouding deur 'n benoemde gehou word;
- (ii) 'n vennootskap, 'n lys van sy vennote;
- (iii) 'n beslote korporasie, 'n lys van sy lede;
- (iv) enige ander regspersoon as 'n maatskappy of beslote korporasie, 'n lys van die persone betrokke by die bestuur van die regspersoon of wat beheer het oor die regspersoon;
- (c) moet besonderhede van die plek waar, en van die manier waarop, die aansoeker beplan om die effekte in veilige bewaring te hou vir die doeleindes van die Wet aan die Registrateur verskaf;
- (d) moet 'n vraelys invul en aan die Registrateur terugstuur, wat-
- (i) deur die Registrateur opgestel moet word;
- (ii) beskikbaar moet wees by die Kantoor van die Registrateur; en
- (iii) moet handel oor die bepaling van die eerlikheid, bekwaamheid en finansiële gesondheid van die aansoeker en sy bestuur en personeel, om die Registrateur in staat te stel om 'n oordeel te vorm oor die geskiktheid van die aansoeker vir die doeleindes van die aangevraagde magtiging; en
- (e) moet die finansiële state en ander inligting soos versoek deur die Registrateur aan hom verskaf.]".

Vervanging van regulasie 3 van die Regulasies

3. Regulasie 3 van die Regulasies word hierby deur die volgende regulasie vervang:

"3. Enige openbare maatskappy wat aansoek doen om registrasie as 'n sentrale effektebewaarnemer -

(a) moet in die formaat van Vorm SD.[1]2, aangeheg by hierdie regulasies, tesame met voltooide en getekende verklarings deur alle direkteure van die maatskappy wat aansoek doen, in die formaat van die Aanhangsel tot Vorm SD.2, invul en terugstuur na die Registrateur;

(b) moet aan die Registrateur verskaf -

(i) vyf [soveel] afskrifte van sy reëls om goedgekeur te word deur die Registrateur en 'n afskrif van sy jongste geouditeerde finansiële state [as wat hy nodig ag]; en

(ii) 'n afskrif van sy Akte van Oprigting en Statute. ['n lys van sy aandeelhouders, die persentasie van aandeelhouding van elke aandeelhouer, en die naam van die bevoordeelde(s) waar enige sodanige aandeelhouding deur 'n benoemde gehou word;

(iii) die naam en samestelling van sy beherende liggaam;

(iv) die naam en status van elke lid van sy raad van direkteure;

(v) 'n afskrif van sy Akte van Oprigting en Statute;

(vi) die naam van die plek waar hy beplan om effekte in veilige bewaring te hou ingevolge sy reëls; en

(vii) 'n lys van die effekte wat in veilige bewaring gehou sal word ingevolge sy reëls; en

(c) moet 'n vraelys invul en aan die Registrateur terugstuur wat -

(i) deur die Registrateur opgestel moet word;

(ii) beskikbaar moet wees by die Kantoor van die Registrateur; en

(iii) behoudens artikel 9(5) van die Wet, moet handel oor die bepaling van die eerlikheid, bekwaamheid en finansiële gesondheid van die aansoeker en sy bestuur en personeel, om die Registrateur in staat te stel om 'n oordeel te vorm oor die geskiktheid van die aansoeker vir die doeleindes van die aangevraagde registrasie.]"

Wysiging van regulasie 4 van die Regulasies

4. Regulasie 4 van die Regulasies word hierby gewysig deur paragraaf (b) van subregulasie (1) deur die volgende paragraaf te vervang:

"(b) alle gelde deur hom ontvang of betaal, met inbegrip van dividende, rente en ander betalings wat deur die uitreiker van effekte gedeponeer [by hom], gedoen is en die uitbetaling van sodanige dividende en betalings aan deposante; en".

Wysiging van regulasie 5 van die Regulasies

5. Regulasie 5 van die Regulasies word hierby gewysig -

(a) deur in die Engelse teks van subregulasie (1) in die woorde wat paragraaf (a) voorafgaan die woorde "his or" te skrap;

(b) deur in die Engelse teks van subregulasie (3) die woorde "his or" te skrap; en

(c) deur die volgende subregulasie by te voeg:

"(4) In geval van enige samesmelting of oordrag van besigheid ingevolge hierdie regulasie sal sodanige samesmelting of oordrag nie plaasvind nie tensy die betrokke sentrale effektebewaarnemers die bewaarnemende instellings van sodanige voorneme en die prosedure wat gevolg sal word in sodanige samesmelting of oordrag, in kennis stel.".

Vervanging van Vorm SD.1

6. Vorm SD.1 word hierby deur die volgende vorm aangeheg tot die Regulasie vervang:-

"VORM SD.1

WET OP DIE VEILIGE BEWARING VAN EFFEKTE, 1992

(WET NO. 85 VAN 1992)

AANSOEK OM MAGTIGING INGEVOLGE ARTIKEL 2(1)(a)

OM AS BEWAARNEMENDE INSTELLING OP TE TREE

(Om voltooi en geteken te word deur die Aansoeker, indien 'n natuurlike persoon, en deur twee persone behoorlik daartoe gemagtig waar die Aansoeker 'n regspersoon of 'n oningelyfde vereniging is. Die inligting verstrek moet korrek wees op die datum van die aansoek.)

AAN: Die Registrateur van Finansiële Markte

Pobus 35655

MENLOPARK

0102

1. BESONDERHEDE VAN AANSOEKER, INDIEN 'N NATUURLIKE PERSOON

- 1.1 Van:
- 1.2 Volle name:
- 1.3 Identiteitsnommer:
- 1.4 Naam van besigheid/onderneming:
- 1.5 Telefoon: Besigheid:
- Huis:
- 1.6 Straatadres van geregistreerde kantoor of hoofplek van besigheid:
- 1.7 Posadres:
- 1.8 Besonderhede van lede van bestuur (indien enige):
- 1.9 Naam en adres van die ouditeur(-e) van die Aansoeker:
- 1.10 Besonderhede van die plek waar en die manier waarop die Aansoeker beoog om die effekte in veilige bewaring te hou:
- 1.11 'n Lys of beskrywing van die soorte van effekte wat in veilige bewaring gehou sal word:

2. BESONDERHEDE WAAR AANSOEKER 'N REGSPERSOON OF ONINGELYFDE VERENIGING IS:

- 2.1 Naam, en registrasienommer (indien enige):
- 2.2 Straatadres van geregistreerde kantoor of hoofplek van besigheid:
- 2.3 Posadres:
- 2.4 Besonderhede van enige persoon wat, in die geval van 'n maatskappy of 'n beslote korporasie, as 'n benoemde of bevoordeelde eienaar 10% of meer van enige klas van aandele in die Aansoeker hou, en die persentasie van die aandeelhouding van elke sodanige eienaar of belanghouding van elke

sodanige lid:

2.5 In geval van 'n regs persoon wat nie 'n maatskappy of 'n beslote korporasie is nie, of van 'n oningelyfde vereniging, besonderhede van alle lede:

(NOTA: Indien lede meer as 10 beloop, mag uittreksels van lederegisters of -lyste wat deur die persone wat namens die Aansoeker aansoek doen as korrek gesertifiseer sal word, by die aansoek aangeheg word.)

- 2.6 Volle name, in die geval van 'n maatskappy, van alle direkteure en die hoedanighede waarin hulle dien:
- 2.7 Volle name, in die geval van enige regs persoon wat nie 'n maatskappy is nie, of van enige oningelyfde vereniging, van alle persone wat as trustees, direkteure of in enige ander bestuurshoedanigheid dien:
- 2.8 Volle name van alle lede van die bestuur van die Aansoeker:
- 2.9 Naam en adres van die ouditeur(-e) van die Aansoeker:
- 2.10 Besonderhede van die plek waar en die manier waarop die Aansoeker beoog om die effekte in veilige bewaring te hou:
- 2.11 'n Lys of beskrywing van die soorte van effekte wat in veilige bewaring gehou sal word:

3. Ek/Ons heg aan by hierdie Aansoek:

- 3.1 'n afskrif van die jongste geouditeerde finansiële state ten opsigte van die besigheid van die Aansoeker of, in die afwesigheid van sodanige besigheid, 'n verklaring van die bates en laste van die aansoeker; en
- 3.2 'n verslag van die ouditeur van die Aansoeker te dien effekte dat voldoende stelsels en prosedures met betrekking tot risikovermindering in bedryf is in besonder met verwerking-, fisieke-, logiese sekuriteit-, rugsteun- en gebeurlikheidsbeheer om die veilige bewaring van gedeponeerde effekte te verseker.

GETEKEN DEUR/NAMENS DIE AANSOEKER

Naam

Naam

Hoedanigheid

Hoedanigheid

Datum

Datum

AANHANGSEL TOT VORM SD.1

VERKLARING OM VOLTOOI TE WORD, IN DIE GEVAL VAN 'N NATUURLIKE PERSOON, DEUR SODANIGE PERSOON; IN DIE GEVAL VAN 'N MAATSKAPPY, DEUR ELKE LID VAN DIE DIREKSIE; IN DIE GEVAL VAN 'N BESLOTE KORPORASIE, DEUR ELKE LID; IN DIE GEVAL VAN ENIGE ANDER REGSLIGGAAM, OF 'N ONINGELYFDE VERENIGING, DEUR ELKE TRUSTEE, DIREKTEUR OF, ANDERSINS, LID VAN DIE BEHERENDE LIGGAAM; EN, IN ENIGE SODANIGE GEVAL, DEUR ELKE LID VAN DIE BESTUUR VAN DIE AANSOEKER

1. Is u te eniger tyd aan enige misdryf skuldig bevind, uitgesonderd -
 - (a) enige misdryf wat gepleeg is terwyl u onder die ouderdom van 18 jaar was, tensy die misdryf binne 'n tydperk van tien jaar wat die datum van hierdie verklaring voorafgaan, gepleeg is;
 - (b) enige padverkeersoortreding;
 - (c) enige misdryf van 'n politieke aard?Indien wel, verstrek besonderhede van die hof waarin u skuldig bevind is, die misdryf, die straf wat opgelê is en die datum van skuldigbevinding:
2. Is u te eniger tyd, in die RSA of elders, onder sensuur geplaas, gedissiplineer, met betrekking tot u toekomstige gedrag gewaarsku, of is 'n hofbevel teen u aangeva deur enige regulerende owerheid of enige professionele liggaam waaraan u behoort of behoort het, of het u al ooit 'n sertifikaat wat wetlik vereis word om enige professie of beroep te praktiseer, onderworpe aan voorwaardes gehou? Indien wel, verstrek besonderhede daarvan:
3. Was u, of enige regspersoon, vennootskap of oningelyfde vereniging waarmee u as 'n direkteur, uitvoerende beampte, vennoot of lid geassosieer is of was, al ooit die onderwerp van 'n ondersoek, in die RSA of elders, deur of namens 'n staatsdepartement of -agentskap, professionele vereniging of ander regulerende owerheid? Indien wel, verstrek besonderhede daarvan:
4. Is u te eniger tyd, in die RSA of elders, uit enige amp of aanstelling ontslaan, of deur 'n werkgewer aan dissiplinêre stappe onderwerp of is u verbied om tot enige professie of beroep toe te tree? Indien wel, verstrek besonderhede daarvan:
5. Het u al ooit versuim om te voldoen aan enige vonnisskuld wat deur u as vonnisskuldenaar kragtens 'n hofbevel, in die RSA of elders, verskuldig en betaalbaar was, of het u enige kompromie met u krediteure binne 'n tydperk van tien jaar wat die

datum van hierdie verklaring voorafgaan, aangegaan? Indien wel, verstrek besonderhede daarvan:

6. Is u boedel te eniger tyd deur 'n hof, in die RSA of elders, gesekwestreer (voorlopig of finaal)? Indien wel, verstrek besonderhede daarvan:

7. Is 'n maatskappy waarvan u 'n genottrekke van 10 persent of meer van enige klas van aandele in die maatskappy was, of enige direkteur, beampte of 'n lid van die bestuur van sodanige maatskappy, of enige regspersoon of oningelyfde vereniging waarvan u 'n lid is of was, te eniger tyd onder geregtelike bestuur of in likwidasië geplaas? Indien wel, verstrek besonderhede daarvan:

8. Voltooi en teken die volgende:

Ek, die ondergetekende,
sertifiseer hierby dat, na die beste van my wete, die inligting en antwoorde hierbo verstrek volledig en akkuraat is in alle opsigte.

Ek onderneem dat, solank as wat ek 'n lid is van die direksie of van die korporasie, of 'n trustee, direkteur of lid van die beherende liggaam, na gelang van die geval, of 'n lid van die bestuur van die Aansoeker

en die Aansoeker gemagtig is ingevolge Wet 85 van 1992 om as bewaarnemende instelling op te tree, ek die Registrateur van Finansiële Markte in kennis sal stel van enige gebeurtenis wat hierbo bekend gemaak sou gewees het indien dit voor of op die datum van hierdie verklaring plaasgevind het, nie later nie as 21 dae vanaf die datum waarop sodanige gebeurtenis plaasgevind het of andersins onder my aandag gebring is.

Handtekening

Datum".

Byvoeging van Vorm SD.2

7. Die volgende vorm word hierby by die Regulasies gevoeg:

"VORM SD.2

WET OP DIE VEILIGE BEWARING VAN EFFEKTE, 1992

(WET NO. 85 VAN 1992)

AANSOEK INGEVOLGE ARTIKEL 9 VIR REGISTRASIE AS SENTRALE EFFEKTEBEWAARNEMER

(Om voltooi en geteken te word deur twee persone behoorlik daartoe gemagtig deur die Aansoeker. Die inligting verstrek moet korrek wees op die datum van die aansoek.)

AAN: Die Registrateur van Finansiële Markte
Pobus 35655
MENLOPARK
0102

1. BESONDERHEDE VAN AANSOEKER

- 1.1 Geregistreerde naam:
- 1.2 Straatadres of geregistreerde adres of hoofplek van besigheid:
- 1.3 Posadres:
- 1.4 Besonderhede van enige persoon wat 10% of meer van enige klas van aandele in die Aansoeker Maatskappy as benoemde of genottrekke hou, en die persentasie van aandeelhouding van elke sodanige eienaar(-s):
- 1.5 Volle name van alle direkteure en die hoedanighede waarin hulle dien: ..
- 1.6 Besonderhede van ander direkteurskappe en betrokke tydperke:
- 1.7 Volle name van alle lede van die bestuur van die Aansoeker Maatskappy:
- 1.8 Naam en adres van ouditeur(-e):
- 1.9 Name van sy lede:
- 1.10 Besonderhede van die plek waar en die manier waarop die Aansoeker Maatskappy beoog om die effekte in veilige bewaring te hou:
- 1.11 'n Lys of beskrywing van die soorte van effekte wat in veilige bewaring gehou sal word:

2. Ek/Ons heg aan by hierdie Aansoek:

- 2.1 'n afskrif van die jongste geouditeerde finansiële state ten opsigte van die besigheid van die Aansoeker of, in die afwesigheid van sodanige besigheid, 'n verklaring van die bates en laste van die aansoeker; en
- 2.2 'n verslag van die ouditeur van die Aansoeker te dien effekte dat voldoende stelsels en prosedures met betrekking tot risikovermindering in bedryf is in besonder met verwerking-, fisiese-, logiese sekuriteit-, rugsteun- en

gebeurlikheidsbeheer om die veilige bewaring van gedeponeerde effekte te verseker.

GETEKEN NAMENS DIE AANSOEKER

Naam

Hoedanigheid

Datum

Naam

Hoedanigheid

Datum

AANHANGSEL TOT VORM SD.2

VERKLARING OM VOLTOOI TE WORD DEUR ELKE DIREKTEUR VAN DIE AANSOEKER

1. Is u te eniger tyd aan enige misdryf skuldig bevind, uitgesonderd -
 - (a) enige misdryf wat gepleeg is terwyl u onder die ouderdom van 18 jaar was, tensy die misdryf binne 'n tydperk van tien jaar wat die datum van hierdie verklaring voorafgaan, gepleeg is;
 - (b) enige padverkeersoortreding;
 - (c) enige misdryf van 'n politieke aard?
 Indien wel, verstrek besonderhede van die hof waarin u skuldig bevind is, die misdryf, die straf wat opgelê is en die datum van skuldigbevinding:
2. Is u te eniger tyd, in die RSA of elders, onder sensuur geplaas, gedissiplineer, met betrekking tot u toekomstige gedrag gewaarsku, of is 'n hofbevel teen u aangevra deur enige regulerende owerheid of enige professionele liggaam waaraan u behoort of behoort het, of het u al ooit 'n sertifikaat wat wetlik vereis word om enige professie of beroep te praktiseer, onderworpe aan voorwaardes gehou? Indien wel, verstrek besonderhede daarvan:
3. Was u, of enige regspersoon, vennootskap of oningelyfde vereniging waarmee u as 'n direkteur, uitvoerende beampte, vennoot of lid geassosieer is of was, al ooit die onderwerp van 'n ondersoek, in die RSA of elders, deur of namens 'n staatsdepartement of -agentskap, professionele vereniging of ander regulerende owerheid? Indien wel, verstrek besonderhede daarvan:

4. Is u te eniger tyd, in die RSA of elders, uit enige amp of aanstelling ontslaan, of deur 'n werkgewer aan dissiplinêre stappe onderwerp of is u verbied om tot enige professie of beroep toe te tree? Indien wel, verstrek besonderhede daarvan:
5. Het u al ooit versuim om te voldoen aan enige vonnisskuld wat deur u as vonnisskuldenaar kragtens 'n hofbevel, in die RSA of elders, verskuldig en betaalbaar was, of het u enige kompromie met u krediteure binne 'n tydperk van tien jaar wat die datum van hierdie verklaring voorafgaan, aangegaan? Indien wel, verstrek besonderhede daarvan:
6. Is u boedel te eniger tyd deur 'n hof, in die RSA of elders, gesekwestreer (voorlopig of finaal)? Indien wel, verstrek besonderhede daarvan:
7. Is 'n maatskappy waarvan u 'n genottrekker van 10 persent of meer van enige klas van aandele in die maatskappy was, of enige direkteur, beamppte of 'n lid van die bestuur van sodanige maatskappy, of enige regspersoon of oningelyfde vereniging waarvan u 'n lid is of was, te eniger tyd onder geregtelike bestuur of in likwidasie geplaas? Indien wel, verstrek besonderhede daarvan:
8. Voltooi en teken die volgende.

Ek, die ondergetekende,
sertifiseer hierby dat, na die beste van my wete, die inligting en antwoorde hierbo verstrek volledig en akkuraat is in alle opsigte.

Ek onderneem dat, solank as wat ek 'n lid is van die direksie of van die bestuur van die maatskappy
en die maatskappy ingevolge Wet 85 van 1992 geregistreer is as sentrale effektebewaarnemer, ek die Registrateur van Finansiële Markte in kennis sal stel van enige gebeurtenis wat hierbo bekend gemaak sou gewees het indien dit voor of op die datum van hierdie verklaring plaasgevind het, nie later nie as 21 dae vanaf die datum waarop sodanige gebeurtenis plaasgevind het of andersins onder my aandag gebring is.

Handtekening

Datum "

Use it
Don't abuse  **it**
water is for everybody

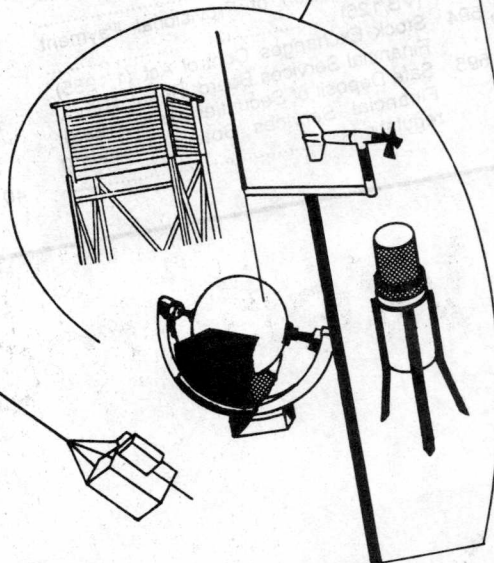
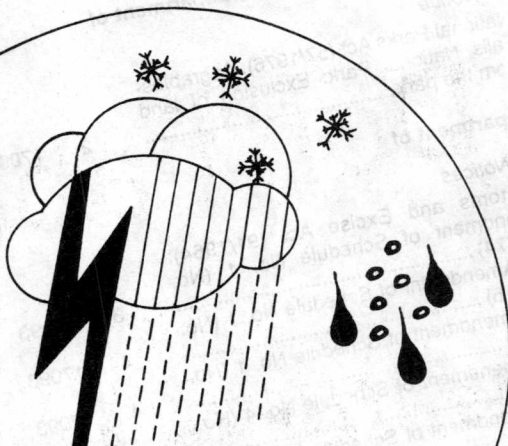
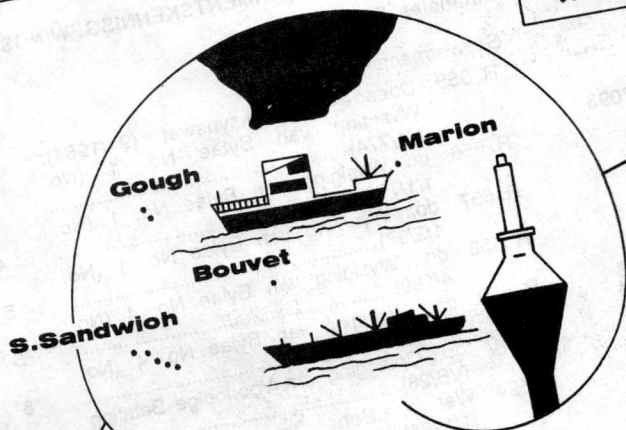
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**Werk mooi daarmee**  
**Ons leef**  **daarvan**  
***water is kosbaar***

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