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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

SOUTH AFRICAN RESERVE BANK SUID-AFRIKAANSE RESERWEBANK

No. 677

7 May 1997

BANKS ACT, 1990

DESIGNATION OF ACTIVITIES NOT FALLING WITHIN THE MEANING OF "THE BUSINESS OF A BANK" ("TEBA SAVINGS FUND")

Under paragraph (cc) of the definition of "the business of a bank" in section 1 of the Banks Act, 1990 (Act No. 94 of 1990), I, Christo Floris Wiese, Registrar of Banks, hereby designate, with the approval of the Minister of Finance and for the period commencing on 1 January 1997 and expiring on 31 December 1997, the activities set out in paragraph 2 of the Schedule, and which are performed in accordance with the conditions set out in paragraph 3 of the Schedule, as activities that do not fall within the meaning of "the business of a bank".

C. F. WIESE

Registrar of Banks

SCHEDULE

1. Definitions

In this Schedule, "the Act" means the Banks Act, 1990 (Act No. 94 of 1990), and any word or expression to which a meaning has been assigned in the Act or the Regulations relating to Banks shall bear the meaning so assigned thereto and, unless the context otherwise indicates—

"assets of TSF" includes unimpaired reserve funds of TSF and any other assets of which, by reason of TSF having no legal personality, the ownership vests with the trustees of TSF;

"CM" means the Chamber of Mines of South Africa;

"Companies Act" means the Companies Act, 1973 (Act No. 61 of 1973);

"company" means a company in terms of the Companies Act;

"Teba" means the company registered under the name "The Employment Bureau of Africa Limited";

"Teba Savings Fund" means the savings fund—

- (a) established in terms of the Trust Deed;
- (b) with the approval of the Registrar of Financial Institutions and the Director-General for Co-operation and Development; and
- (c) which is administered by Teba and CM in their capacities as trustees;

"Trust Deed" means the trust deed of TSF dated 17 November 1993;

"TSF" means Teba Savings Fund;

"unimpaired reserve funds of TSF" means funds obtained from actual earnings or a surplus on the realization of capital assets, and which have been set aside as a general or special reserve, are disclosed as such a reserve in the financial statements in respect of TSF, are available for the purpose of meeting liabilities of or losses suffered by the trustees of TSF, and of which funds the ownership vests in the trustees of TSF.

2. Activities

All activities performed by or on behalf of and in the course of the performance of the functions of the trustees of TSF, subject to the conditions set forth in paragraph 3 *infra*.

3. Conditions

The activities referred to in paragraph 2 *supra* shall be—

- (a) performed solely for the purposes of the achievement of the objective of TSF, namely—
 - (i) to receive, as deposits through employers, members of Teba, or of CM, or directly, the savings made by employees in their service and any other employment-related benefits paid by such members to such employees or their beneficiaries;
 - (ii) to invest at interest in one or more clearly specified trust account(s) with any bank amounts which shall at all times be sufficient to meet all liabilities to depositors: Provided that the nominees of the trustees may invest any surpluses generated which are not required for the above-mentioned purpose or for purposes of the payment of administrative or infrastructural expenses in such investments as may be deemed desirable by the nominees of the trustees;
 - (iii) to repay, on application, to each depositor referred to in paragraph 3 (a) (i) *supra*, his savings, together with interest at the rate fixed by the nominees of the trustees, from the date of deposit of the savings with the employer concerned to the date of repayment of the savings: Provided that the amount which may be withdrawn by a depositor at any time shall not exceed the amount standing to his credit;
 - (iv) to acquire and hold, to improve, sell, let, hire, dispose of or deal in any other way with any property, movable or immovable, where necessary for or conducive or incidental to the attainment of any of the above objects: Provided that the funding of any of the above expenditure is covered by TSF and provided, further, that the trustees of TSF may not acquire any immovable property with the object of earning rent therefrom;

- (b) managed in such a way that the sum of the unimpaired reserve funds of TSF in the Republic does not at any time amount to less than an amount which represents 8 (eight) per cent of the sum of amounts calculated by multiplying the average amounts of such different categories of—
- (i) assets; and
 - (ii) other risk exposures in the conduct of TSF's business,
- as set forth in ANNEXURE A, by risk weights expressed as percentages, as so set forth, in respect of such different categories of assets and other risk exposures;
- (c) performed whilst TSF at all times holds an average daily amount of liquid assets in the Republic that shall not be less than an amount equal to 5 (five) per cent of its total liabilities to the public.

ANNEXURE A

TABLE OF RISK WEIGHTINGS

Risk weighting %	Transaction with the following counterparties (including contingent liabilities)
0	Central government of RSA. Explicit guarantees by central government. Bank notes, subsidiary coin, gold coin and bullion. Postal and money orders, service deposits and stamps. Performance-related guarantees on behalf of RSA and public-sector bodies and governments in common monetary area. Irrevocable letters of credit with an original maturity of up to three months.
5	Irrevocable letters of credit with an original maturity of more than three months on behalf of public-sector bodies. Irrevocable, unutilized facilities with an original maturity of one year and over to public-sector bodies. Irrevocable, unutilized draw-down facilities to public-sector bodies.
10	RSA public-sector bodies.
20	Public-sector bodies in countries in common monetary area. Banks in RSA and OECD countries. Banks in other countries where residual maturity is less than or equal to 12 months. Committed capital expenditure.
50	Loans fully secured by mortgages on urban residential dwellings or individual sectional title dwellings, which loans are repayable in equal monthly instalments, where the monthly instalments are not overdue and where the capital amount outstanding does not exceed the market valuation of the property. Performance-related guarantees. Remittances in transit. All other irrevocable facilities, including all other unutilized draw-down facilities. Underwriting exposures.
100	All other counterparties and assets not covered above.

No. 677

7 Mei 1997

BANKWET, 1990

AANWYSING VAN BEDRYWIGHED E WAT NIE BINNE DIE BETEKENIS VAN "DIE BEDRYF VAN 'N BANK" VAL NIE ("TEBA SAVINGS FUND")

Kragtens paragraaf (cc) van die omskrywing van "die bedryf van 'n bank" in artikel 1 van die Bankwet, 1990 (Wet No. 94 van 1990), wys ek, Christo Floris Wiese, Registrateur van Banke, met die goedkeuring van die Minister van Finansies en vir die tydperk wat op 1 Januarie 1997 begin en op 31 Desember 1997 verstryk, hiermee die bedrywighede in paragraaf 2 van die Bylae uiteengesit, en wat verrig word ooreenkomstig die voorwaardes in paragraaf 3 van die Bylae uiteengesit, aan as bedrywighede wat nie binne die betekenis van "die bedryf van 'n bank" val nie.

C. F. WIESE**Registrateur van Banke****BYLAE****1. Woordomskrywings**

In hierdie Bylae beteken "die Wet" die Bankwet, 1990 (Wet No. 94 van 1990), en het 'n woord of uitdrukking waaraan in die Wet of die Regulasies aangaande Banke 'n betekenis geheg is die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken—

"bates van TSF" onaangetaste reserwefondse van TSF asook enige ander bates waarvan, uit hoofde daarvan dat TSF nie 'n regs persoon is nie, die eienaarskap by die trustees van TSF berus;

"KM" die Kamer van Mynwese van Suid-Afrika;

"maatskappy" 'n maatskappy kragtens die Maatskappywet;

"Maatskappywet" die Maatskappywet, 1973 (Wet No. 61 van 1973);

"onaangetaste reserwefondse van TSF" fondse verkry uit werklike verdienste of 'n oorskot na die realisering van kapitaalbates, en wat as 'n algemene of spesiale reserwe opsygesit is, as sodanige reserwe in die finansiële state ten opsigte van TSF geopenbaar word, vir die doel van vereffening van verpligtinge van of verliese gelyk deur die trustees van TSF beskikbaar is, en van welke fondse die eienaarskap by die trustees van TSF berus;

"Teba" die maatskappy geregistreer onder die naam "The Employment Bureau of Africa Limited";

"Teba Savings Fund" die spaarfonds—

- (a) ingevolge die Trustakte opgerig;
- (b) met die goedkeuring van die Registrateur van Finansiële Instellings en die Direkteur-generaal vir Samewerking en Ontwikkeling; en
- (c) wat deur Teba en KM in hul hoedanigheid as trustees geadministreer word;

"Trustakte" die trustakte van TSF gedateer 17 November 1993;

"TSF" Teba Savings Fund.

2. Bedrywighede

Alle bedrywighede verrig deur of namens en in die loop van die verrigting van die funksies van die trustees van TSF, onderhewig aan die voorwaardes in paragraaf 3 *infra* uiteengesit.

3. Voorwaardes

Die bedrywighede waarna in paragraaf 2 *supra* verwys word, sal—

- (a) verrig word alleenlik vir die doel van die bereiking van die doelwit van TSF, naamlik—
 - (i) om, as deposito's deur werkgewers, lede van Teba, of van KM, of direk, die spaargelde deur werknemers in hul diens gespaar en enige ander diensverwante voordele deur sodanige lede aan sodanige werknemers of hul begunstigdes betaal, te ontvang;

- (ii) om, teen rente in een of meer duidelik gespesifiseerde trustrekening(s) by enige bank, bedrae wat te alle tye voldoende sal wees om alle verpligtinge aan deposante te vereffen, te belê: Met dien verstande dat die genomineerdes van die trustees enige oorskotte teweeggebring wat nie vir bogemelde doel, of vir die doel van die betaling van administratiewe of vir infrastrukturele koste in sodanige beleggings soos wenslik geag deur die genomineerdes van die trustees, benodig mag word nie, mag belê;
 - (iii) om, op aansoek, aan elke deposant waarna in paragraaf 3 (a) (i) *supra* verwys word, sy spaargelde, tesame met rente teen die koers soos deur die genomineerdes van die trustees vasgestel, vanaf die datum van deponering van die spaargelde met die betrokke werkgever tot die datum van terugbetaling van die spaargelde terug te betaal: Met dien verstande dat die bedrag wat deur 'n deposant te eniger tyd onttrek mag word nie die bedrag wat tot sy krediet staan, mag oorskry nie;
 - (iv) om enige eiendom, roerend of onroerend, waar noodsaaklik of bevorderlik vir of samehangend met die bereiking van enige van bogemelde doelwitte, te verkry en te hou, te verbeter, te verkoop, te verhuur, te huur, te vervreem of op enige ander wyse daarmee te handel: Met dien verstande dat die befondsing van enige van bogemelde uitgawes deur TSF gedek word en voorts met dien verstande dat die trustees van TSF geen onroerende eiendom mag verkry met die doel om huurgelde daardeur te verdien nie;
- (b) op sodanige wyse bestuur word dat die som van die onaangetaste reserwefondse van TSF in die Republiek nie te eniger tyd minder beloop nie as 'n bedrag wat 8 (agt) persent verteenwoordig van die som van die bedrae bereken deur die vermenigvuldiging van die gemiddelde bedrae van sodanige verskillende kategorieë van—
- (i) bates; en
 - (ii) ander risikoblootstellings in die bedryf van TSF se sake,
- soos in AANHANGSEL A uiteengesit, met die risikobeladings uitgedruk as persentasies, soos aldus uiteengesit, ten opsigte van sodanige verskillende kategorieë bates en ander risiko-blootstellings;
- (c) verrig word terwyl TSF te alle tye 'n gemiddelde daaglikse bedrag aan likwiede bates in die Republiek hou wat nie minder as 'n bedrag gelyk aan 5 (vyf) persent van sy totale verpligtinge aan die publiek mag wees nie.

AANHANGSEL A

TABEL VAN RISIKOBELADINGS

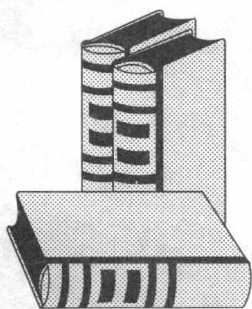
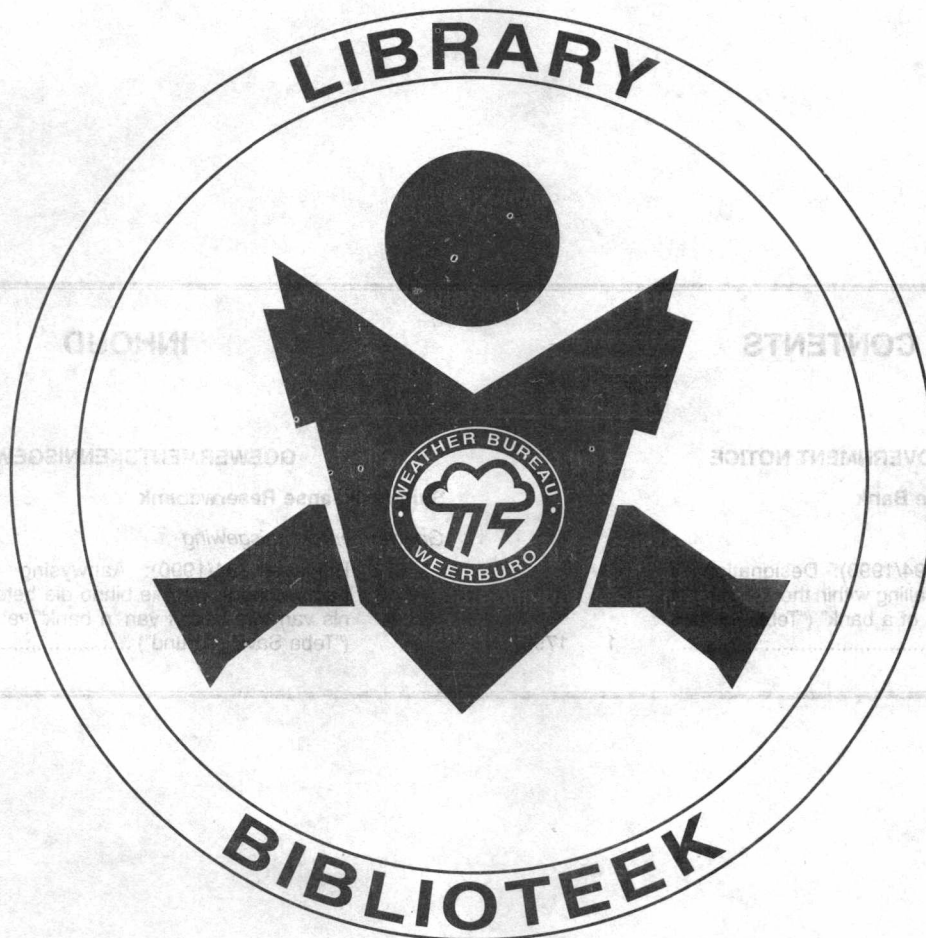
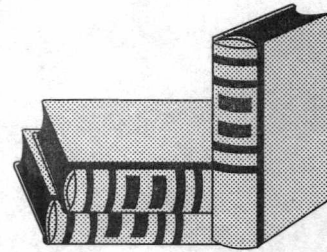
Risiko-belading %	Transaksies met die volgende teenpartye (met inbegrip van voorwaardelike verpligtings)
0	Sentrale regering van RSA. Eksplisiëte waarborge deur sentrale regering. Banknote, pasmunt, goudmunt en staafgoud. Pos- en geldwissels, diensdeposito's en seëls. Prestasieverwante waarborge ten behoeve van RSA en openbare sektorliggame en regerings in gemeenskaplike monetêre gebied. Onherroepbare kredietbriewe met 'n oorspronlike looptyd van hoogstens drie maande.

Risiko-belading %	Transaksies met die volgende teenparty (met inbegrip van voorwaardelike verpligtings)
5	Onherroepbare kredietbriewe met 'n oorspronklike looptyd van meer as drie maande ten behoeve van openbare sektorliggame. Onherroepbare onbenutte fasiliteite met 'n oorspronklike looptyd van een jaar en langer aan openbare sektorliggame. Onherroepbare, onbenutte onttrekkingsfasiliteite aan openbare sektorliggame.
10	RSA openbare sektorliggame.
20	Openbare sektorliggame in lande en gemeenskaplike monetêre gebied. Banke in RSA en OESO-lande. Banke in ander lande waar oorblywende looptyd minder as of gelyk aan 12 maande is. Verpligte kapitaaluitgawe.
50	Lenings ten volle gedek deur verbande op stedelike woonhuise of individuele deeltitelwooneenhede, welke lenings in gelyke afbetalings terugbetaalbaar is, waar die maandelikse afbetalings nie agterstallig is nie en waar die kapitaalbedrag wat uitstaande is nie die markwaardasie van die eiendom oorskry nie. Prestasieverwante waarborge. Remises in transito. Alle ander onherroepbare fasiliteite, met inbegrip van alle ander onbenutte onttrekkingsfasiliteite. Blootstelling ten opsigte van onderskrywings.
100	Alle ander teenparty en bates wat nie hierbo handel word nie.

TABEL VAN RISIKOBELADING

Risiko-belading	Transaksies met die volgende teenparty (met inbegrip van voorwaardelike verpligtings)
0	Onherroepbare kredietbriewe met 'n oorspronklike looptyd van hoogstens drie maande. in gemeenskaplike monetêre gebied. Prestasieverwante waarborge ten behoeve van RSA en openbare sektorliggame en regerings Pos- en geldwissels, bierdeposities en seels. Batknote, gesant goudmunt en staatsjoub. Ekspasiteit: waarborge deur sentrale regering. Sentrale redeling van RSA.

Where is the largest amount of meteorological information in the whole of South Africa available?



Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

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