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BOARD NOTICE RAADSKENNISGEWING

NOTICE 47 OF 1999

FINANCIAL SERVICES BOARD

FINANCIAL SERVICES BOARD ACT, 1990

LEVIES ON FINANCIAL INSTITUTIONS

The Financial Services Board referred to in section 2 of the Financial Services Board Act, 1990 (Act No. 97 of 1990), hereby under section 15A of the said Act imposes the levies set out in the Schedule on financial institutions.

By order of the Financial Services Board.

W J HASLAM

Deputy Chairman: Financial Services Board

SCHEDULE**Definitions**

1. In this Notice any word or expression to which a meaning has been assigned in any financial services law, has the meaning so assigned to it and, unless the context indicates otherwise -
 - (i) "**Board**" means the Financial Services Board referred to in the Act; (iv)
 - (ii) "**financial services law**" means the Act, and any other act referred to in paragraph (a) of the definition of "financial institution" in section 1 of the Act ; (v)
 - (iii) "**levy year**" means the period from 1 April 1999 to 31 March 2000 and, subject to this Notice and any amendment or repeal thereof, such corresponding period in succeeding years, in respect of which levies are imposed; (iii)

- (iv) "relevant Registrar" means the Registrar mentioned in a financial services law concerned; (i)
- (v) "the Act" means the Financial Services Board Act, 1990 (Act No. 97 of 1990). (ii)

Imposition of levies

2. The levy specified in an item of this Notice is hereby imposed in respect of the financial institution referred to in that item and in respect of the levy year.

Levy on pension funds

3. (1) In respect of a pension fund registered or provisionally registered in terms of the Pension Funds Act, 1956 (Act No. 24 of 1956), excluding a retirement annuity fund as defined in section 1 of the Income Tax Act, 1962 (Act No. 58 of 1962), the levy is an amount of R262 plus R2,17 per member of such fund and R2,17 in respect of every other person who receives regular periodic payments from such fund (excluding a member or person who receives policy benefits under a contract which relates exclusively to such particular member or person and is issued by a long-term insurer registered or deemed to be registered in terms of the Long-term Insurance Act, 1998 (Act No. 52 of 1998)), or R217 262, which total amount is the lesser. A pension fund registered under an umbrella scheme must pay an additional levy of R68 in respect of each registered participating employer for which a set of special rules exists. The maximum levy applies in respect of every participating employer and not in respect of the umbrella scheme as such.

(2) In the case of a pension fund that is not exempted in terms of section 2(3)(a) of the Pension Funds Act, 1956, read with regulation 1 of the regulations published by Government Notice No R.98 of 26 January 1962, the calculation of the levy referred to in subitem (1) is based on the number of members and other persons referred to in that subitem, as that number is reflected in the latest statistics furnished to the relevant

Registrar in terms of any law, and on file with the Board on 31 August 1999. If a transfer of members is in process and not finalised on 31 August 1999, the transferor must pay the levy in respect of the members to be transferred.

(3) In the case of a pension fund that is exempted in terms of section 2(3)(a) of the Pension Fund Act, 1956, read with regulation 1 of the regulations published by Government Notice No. R.98 of 26 January 1962, the calculation of the levy referred to in subitem (1) is based on the number of members and other persons referred to in that subitem, on 31 December 1998, as that number is reflected in the latest statistics furnished to the relevant Registrar by 30 June 1999 in terms of any law. If a transfer of members is in process and not finalised on 31 August 1999, the transferor must pay the levy in respect of the members to be transferred.

(4) The levies referred to in subitem (1), which are payable by a pension fund referred to in -

- (a) subitem (2), must be paid not later than 31 October 1999; and
- (b) subitem (3), must be paid partially not later than 30 June 1999 and the balance not later than 31 October 1999.

Levy for Pension Funds Adjudicator

4. In respect of a pension fund registered or provisionally registered in terms of the Pension Funds Act, 1956, including a retirement annuity fund as defined in section 1 of the Income Tax Act, 1962, the levy for the Pension Funds Adjudicator is an amount of 30c per member of such fund and any other person who receives regular periodic payments from such fund. This levy may be paid with the levy referred to in item 3(1), where applicable, and is payable on the date specified in item 3(4).

Levy on retirement annuity funds

5. (1) In respect of a retirement annuity fund referred to in item 3(1), the levy is an amount of R262 plus an additional amount equal to 0,005 % of the value of the assets of the fund. The value of the assets of a retirement annuity fund is for the purposes of this subitem -

- (a) in the case of a fund not exempted in terms of section 2(3)(a) of the Pension Funds Act, 1956, read with regulation 1 of the regulations published by Government Notice No. R. 98 of 26 January 1962, the value of those assets as reflected in the valuation thereof in the 1998 statistics furnished to the relevant Registrar in terms of or by virtue of any law ; and
- (b) in the case of a fund exempted in terms of section 2(3)(a) of the Pension Funds Act, 1956, read with regulation 1 of the regulations published by Government Notice No. R. 98 of January 1962, the value of those assets as reflected in the valuation thereof in the statistics for the financial period ending during 1998, which are to be submitted to the relevant Registrar by 30 June 1999 in terms of any law.

(2) The calculation of the value of the assets of a retirement annuity fund must include the value of a contract, if any, in which a long-term insurer, in return for the payment of a premium, undertakes to provide policy benefits for the purpose of funding in whole or in part the liability of a retirement annuity fund to provide benefits to its members in terms of its rules.

(3) The levy referred to in subitem (1), must be paid not later than 31 October 1999.

Levy on friendly societies

6. (1) In respect of a friendly society registered or provisionally registered in terms of section 3(2)(a) of the Friendly Societies Act, 1956 (Act No. 25 of 1956), the levy is an amount of R85 plus 75c per member of such society (excluding a person who receives policy benefits under a contract which relates exclusively to such particular person and issued by a long-term insurer registered or deemed to be registered in terms of the Long-term Insurance Act, 1998), or R1 800, which total amount is the lesser.
- (2) The calculation of the levy referred to in subitem (1) is based on the number of members who contribute to the society, as that number is reflected in the latest available statistics on file with the Board on 31 August 1999 and furnished to the relevant Registrar in terms of any law.
- (3) The levy referred to in subitem (1), must be paid not later than 31 October 1999.

Levy on short-term insurers and underwriters at Lloyd's

7. (1) In respect of an insurer registered or deemed to be registered in terms of the Short- term Insurance Act, 1998 (Act No. 53 of 1998), to carry on short-term insurance business, the levy shall be based on estimated gross premium income, adjusted after the end of its financial year in accordance with its actual audited gross premium income. The levy shall be an amount equal to 0,0725% of the first R60 million gross premium income plus 0,0168% thereafter, or R7 250, whichever total amount is the greater.
- (2) In respect of a person appointed in terms of section 57(1) of the Short- term Insurance Act, 1998, the levy shall be based on estimated gross premium income for the calendar year ending on 31 December of the levy year, but adjusted annually after 31 December in accordance with the gross premium income which was received on behalf of underwriters at Lloyd's in the Republic for the previous

calendar year as published in the Annual Report of the Registrar of Insurance or the Registrar of Short-Term Insurance, whichever is applicable . The levy shall be an amount equal to 0,0725% of the first R60 million gross premium income plus 0,0168% thereafter, or R7 250, whichever total amount is the greater.

(3) The levy based on estimated premium income shall be paid in four instalments before or on 28 Mayl, 31 July, 31 October and 31 January of the levy year. Payments shall be based on estimated gross premium income for the insurer's financial year ending after 1 April of the levy year. The adjustments referred to in subitems (1) and (2) shall be combined with the third payment after the end of the insurer's financial year. In the case of Lloyd's it shall be combined with the October payment.

Levy on long-term insurers

8. (1) In respect of a long-term insurer which is registered or deemed to be registered in terms of the Long-term Insurance Act, 1998, and authorised to -

- (a) enter into one or more than one disability policy, fund policy, health policy, life policy or sinking fund policy or one or more of those policies and an assistance policy, the levy is an amount of R28 500 plus 0,005% of the liabilities under unmatured long-term policies; or
- (b) enter into an assistance policy only, the levy is an amount of R2 850 plus 0,005% of the liabilities under unmatured long-term policies.

(2) For the purposes of this item the expression "liabilities under unmatured long-term policies" means the liabilities as determined at the end of the long-term insurer's financial year which ended in the calendar year preceding the levy year, and the value of such liabilities are the net liabilities under unmatured policies reflected against item 2 in column 6 of Statement O of Form F247, but excludes the liabilities under a contract, in terms of which the long-term insurer, in return for the payment of a premium, undertakes to provide policy benefits for the

purpose of funding in whole or in part the liability of a friendly society, as defined in section 1 of the Friendly Societies Act, 1956, or a pension fund organization, as defined in section 1 of the Pension Funds Act, 1956, to provide benefits to its members in terms of its rules: Provided that such excluded liabilities do not include liabilities under a contract relating exclusively to a particular member of a friendly society, or a pension fund organization or to the surviving spouse, children, dependants or nominees of a particular member of such friendly society or pension fund organization.

(3) A long-term insurer which is registered or deemed to be registered in terms of the Long-term Insurance Act, 1998 -

- (a) on 1 April of the levy year, must pay the full levies referred to in subitems (1)(a) and (b) and may pay those levies in two instalments, namely -
 - (i) 50% of the levy or, if the actual amount is not available, a reasonable estimate of such levy based on a reasonable estimate of the value of the liabilities mentioned in subitem (2), before or on 28 May; and
 - (ii) the balance before or on 26 November, of the levy year; or
- (b) after 1 April but not after 1 October of the levy year, must pay half of the levies referred to in subitems (1)(a) and (b) in one amount as the only payment, before or on 26 November of the levy year.

Levy on intermediaries

[8] 9. (1) In respect of an agent, broker or other person referred to in section 45 of the Short- term Insurance Act, 1998 (Act No. 53 of 1998), the levy shall be an amount equal to 0,0181% of the total gross premiums as reported on by an auditor or accounting officer, as the case may be; in terms of Regulation 4.4 under the said

Act, which was received by such agent, broker or other person during his most recent financial year on behalf of registered insurers, and underwriters at Lloyd's, or R70, whichever total amount is the greater.

(2) The levy referred to in subitem (1), shall be paid not later than 30 September of the levy year and shall be based on the total gross premium on 31 July of each levy year as provided by the South African Insurance Association.

Levy on unit trust schemes in securities other than property shares

10. In respect of unit trust schemes in securities other than property shares, as referred to in the Unit Trusts Control Act, 1981 (Act No. 54 of 1981), the levy is a total amount of R2 884 200 for all such schemes registered in terms of section 4 of the said Act at any time during the levy year, payable in four quarterly instalments on or before 30 June, 30 September, 31 December and 31 March of the levy year. The quarterly amounts are paid on the basis of statistics as at the end of the preceding quarter and are apportioned amongst all unit trust management companies registered at that date. The calculation of levies due is as follows: 10% apportioned equally between all management companies; 60% apportioned according to the number of unit portfolios administered by each management company; and 30% apportioned in proportion to the total assets under management by each management company.

Levy on foreign collective investment schemes

11. (1) In respect of foreign collective investment schemes approved in terms of section 37A of the Unit Trusts Control Act, 1981, the levy is paid in four quarterly instalments, each instalment consisting of -
- (a) a nominal amount in respect of each scheme; plus
 - (b) a nominal amount in respect of each portfolio, fund or sub-scheme; plus

(c) an amount calculated at a percentage rate of the nett amount of assets managed on behalf of South African investors,

which amounts [shall be determined] are calculated in accordance with those applicable to unit trust schemes in securities other than property shares, registered in terms of the Unit Trusts Control Act, 1981: Provided that if an approved foreign collective investment scheme is not an associate member of The Association of Unit Trusts of South Africa, the amount payable in terms of [subitem (2)] paragraph (b) [shall be] is doubled.

[4] (2) The levy [shall be] is calculated on 30 June, 30 September, 31 December and 31 March of the levy year on the basis of statistics as at the end of the preceding quarter, furnished to the Registrar within 30 days after the end of such quarter and [shall be] is payable in arrear within 60 days after the end of each quarter.

[5] (3) For the purposes of [item 4] subitem (2) the statistics to be furnished to the relevant Registrar [shall] must contain details of all sales and redemptions or buy-backs in South Africa.

[6] (4) Levies [shall be] are payable in respect of all months falling within in any relevant quarter.

Levy on unit trust schemes in property shares

[10] 12. In respect of a management company of a unit trust scheme in property shares, as referred to in the Unit Trusts Control Act, 1981, [(Act No. 54 of 1981)] the levy [shall be] is an amount of R29 526 on every unit portfolio of such scheme, payable by such management company not later than 28 May of the levy year.

Levy on participation bond schemes

[11] 13. (1) In respect of a manager of a participation bond scheme exempted in terms of section 37 of the Unit Trusts Control Act, 1981, [(Act No. 54 of 1981)], the levy [shall be] is an amount of R2 943 plus an amount calculated by multiplying the aggregate amount owing by mortgagors on 31 December of the year preceding the levy year, by the figure of 0,00677%.

(2) The levy referred to in subitem (1), [shall] must be paid not later than 28 May of the levy year.

Levy on stock exchanges

[12] 14. (1) In respect of a stock exchange licensed in terms of the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985), the levy [shall be] is an amount of R1 711 229.

(2) The levy referred to in subitem (1), [shall] must be paid not later than 28 May of the levy year.

Levy on financial exchanges

[13] 15. (1) In respect of-

- (a) the South African Futures Exchange, licensed in terms of the Financial Markets Control Act, 1989 (Act No. 55 of 1989), the levy [shall be] is an amount of R946 316; and
- (b) the Bond Exchange of South Africa, [also so] licensed likewise, the levy [shall be] is an amount of R899 169.

(2) The levies referred to in paragraphs (a) and (b) [respectively, of subitem (1), shall] must be paid by the exchange concerned not later than 15 May of the ievy year.

Levy on investment managers

- [14] 16. (1) A person, or a person who falls within a category of persons (hereinafter referred to as an investment manager), who has been approved in terms of section 4 of the Stock Exchanges Control Act, 1985, or section 5 of the Financial Markets Control Act, 1989, on or before 31 December of the year preceding the levy year, [shall] must pay on or before 28 May of the levy year, a levy calculated as follows:
- a base amount of R2 280; and
 - $A \times 0,00000912$
- where A = the total value of investments managed as contemplated in section 4 of the Stock Exchanges Control Act, 1985, or section 5 of the Financial Markets Control Act, 1989, as the case may be, on 31 December of the year preceding the levy year, subject to a maximum of R20 billion: Provided that investments under management held in a foreign currency, [shall] must be included at the exchange rate published in the Press as at that date.
- (2) An investment manager approved between 1 January of the year preceding the levy year and 30 June of the levy year (both days included), [shall] must pay on or before 31 October of the levy year, a levy calculated as follows:
- a base amount of $0,5 \times \text{R}2\,280$; and
 - $0,5 \times [A \times 0,00000912]$
- where A = the total value of investments managed as contemplated in section 4 of the Stock Exchanges Control Act, 1985, or section 5 of the Financial Markets Control Act, 1989, as the case may be, on 30 June of the levy year, subject to a maximum of R10 billion: Provided that investments under

management held in a foreign currency, [shall] must be included at the exchange rate published in the Press as at that date.

Levy on central securities depositories

[15] 17.(1) In respect of a central securities depository registered in terms of section 9 of the **[Safe Deposit] Custody and Administration of Securities Act, 1992** (Act No. 85 of 1992), the levy [shall be] is an amount of R199 694.

(2) The levy referred to in subitem (1) [shall] must be paid not later than 28 May of the levy year.

GENERAL

Payment of levies

[16] 18. (1) The levies and interest (if any) referred to in this Notice [shall, subject to the provisions of this Notice, be] are payable by [a] the financial institution concerned to the Board by means of a cheque, postal order or money order, or a money transfer.

(2) On amounts of overdue levies, interest [will be] is charged at a rate equal to the prevailing prime overdraft rate of the Standard Bank of South Africa Ltd.

(3) The levies referred to in this **[Schedule] Notice** are inclusive of VAT.

Applications for exemption

[17] 19. (1) An application by [any] a financial institution for the granting under section 15A (4) of the Act of exemption from a provision of this Notice [shall] must be submitted in writing to the Executive Officer, Financial Services Board, P O Box 35655, Menlo Park, 0102, on a date at least one month before the date on which the exemption is in accordance with the application to take effect.

(2) Such application [shall] must contain full particulars of the financial institution, the authorisation of the persons signing the application and the date on which the exemption is to take effect, if granted, and [shall] must set out fully the reasons for the application.

(3) The application [shall] must -

- (a) contain an [affirmation] undertaking by the financial institution concerned to provide, on receipt of any such request, the Executive Officer of the Board forthwith with any other or further information or particulars which the Board may require in connection with the institution or application concerned; and
- (b) contain particulars of the address at which the institution will accept service by the Board of any notice contemplated in section 15A (4) (b) (ii) of the Act.

(4) A notice referred to in section 15A (4) (b) (ii) of the Act [shall] must on the authority of the Board be served by the Executive Officer by registered post at the address furnished by the financial institution in accordance with subitem (3) (b) [in its application for exemption].

Consolidated payments

[18] **20.** Where in any particular levy year a body regarded by the Board as fully representative of a category of financial institutions, offers to make a consolidated payment of levies on behalf of [the relevant financial institution] that category in terms of an agreement concluded between such institutions and the body, the Board may accept such offer if the payment is made in accordance with the provisions of this Notice: Provided that if for any reason such consolidated payment is not so made on the [relevant] prescribed dates of payment, every individual financial institution concerned [shall remain] remains fully responsible for the [individual payment] levy payable by it, plus interest (if any) on that amount calculated in accordance with item [16] **18** (2).

Withdrawal of notices and saving

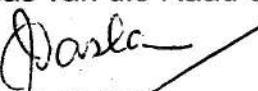
[19] 21. (1) Board Notices [32 of 7 April 1997] 66 of 22 April 1998 and [111 of 28 November 1997] 114 of 17 July 1998 are hereby, subject to subitem (2), withdrawn.

(2) If on the date of [coming into operation] the commencement of this Notice a financial institution has not yet fully paid a levy and interest due thereon, as imposed in terms of a provision of a notice mentioned in subitem (1), any such provision, together with any other provision of a notice mentioned in that subitem which relates to the first-mentioned provision, [shall be] is deemed in respect of the institution concerned and the [relevant due] amount due not to be withdrawn by subitem (1) until such debt is fully [discharged] paid.

RAADSKENNISGEWING 47 VAN 1999**RAAD OP FINANSIËLE DIENSTE****WET OP DIE RAAD OP FINANSIËLE DIENSTE, 1990****HEFFINGS OP FINANSIËLE INSTELLINGS**

Die Raad op Finansiële Dienste bedoel in artikel 2 van die Wet op die Raad op Finansiële Dienste, 1990 (Wet No. 97 van 1990), lê hierby kragtens artikel 15A van genoemde Wet die heffings uiteengesit in die Bylae aan finansiële instellings op.

Op las van die Raad op Finansiële Dienste.


W J HASLAM

Ondervoorsitter: Die Raad op Finansiële Dienste

BYLAE**Woordomskrywings**

1. In hierdie Kennisgewing, het enige woord of uitdrukking waaraan 'n betekenis in 'n wet op finansiële dienste verleen word, die betekenis aldus daaraan geheg, en, tensy uit die samehang anders blyk, beteken-
 - (i) "betrokke Registrateur" die Registrateur vermeld in 'n betrokke wet op finansiële dienste; (iv)
 - (ii) "die Wet" die Wet op die Raad op Finansiële Dienste, 1990 (Wet No. 97 van 1990); (v)
 - (iii) "heffingsjaar" die tydperk vanaf 1 April 1999 tot 31 Maart 2000 en, behoudens hierdie Kennisgewing en enige wysiging of herroeping daarvan, so'n ooreenstemmende tydperk in daaropvolgende jare, ten opsigte waarvan heffings opgelê word; (iii)

- (iv) "Raad" die Raad op Finansiële Dienste bedoel in die Wet; (i)
- (v) "wet op finansiële dienste" die Wet, en enige ander wet waarna in paragraaf (a) van die omskrywing van "finansiële instelling" in artikel 1 van die Wet verwys word. (ii)

Oplê van heffings

- 2. Die heffing vermeld in 'n item van hierdie Kennisgewing word hierby ten opsigte van die finansiële instelling in die item bedoel en die heffingsjaar opgelê.

Heffing op pensioenfondse

- 3. (1) Ten opsigte van 'n pensioenfonds wat ingevolge die Wet op Pensioenfondse, 1956 (Wet No. 24 van 1956), geregistreer of voorlopig geregistreer is, uitgesonderd 'n uittredingsannuïteitsfonds soos omskryf in artikel 1 van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), is die heffing 'n bedrag van R262 plus R2,17 per lid van sodanige fonds en R2,17 ten opsigte van elke ander persoon wat gereeld periodieke betalings uit sodanige fonds ontvang (uitgesonderd 'n lid of persoon wat polisvoordele ontvang ingevolge 'n kontrak wat uitsluitlik op die bepaalde lid of persoon betrekking het en wat uitgereik is deur 'n langtermynversekeraar geregistreer of geag geregistreer te wees kragtens die Langtermynversekeringswet, 1998 (Wet No. 52 van 1998)), of R217 262, watter totale bedrag die kleinste is. 'n Pensioenfonds wat onder 'n sambreelskema geregistreer is, moet 'n bykomende heffing van R60 betaal ten opsigte van elke geregistreerde deelnemende werkewer vir wie 'n stel spesiale reëls bestaan. Die maksimum heffing geld ten opsigte van elke deelnemende werkewer en nie ten opsigte van die sambreelskema as sodanig nie.

(2) In die geval van 'n pensioenfonds wat nie ingevolge artikel 2(3)(a) van die Wet op Pensioenfondse, 1956, saamgelees met regulasie 1 van die regulasies gepubliseer by Goewermentskennisgewing No. R. 98 van 26 Januarie 1962,

vrygestel is nie, word die berekening van die heffing in subitem (1) bedoel, gebaseer op die getal lede en ander persone in daardie subitem bedoel, soos daardie getal blyk uit die jongste statistieke wat by die betrokke Registrateur ingevolge enige wet ingedien is en op 31 Augustus 1999 by die Raad geliasseer is. Indien 'n oordrag van lede aan die gang is wat op 31 Augustus 1999 nog nie afgehandel is nie, moet die oordraende fonds die heffing betaal ten opsigte van die lede wat oorgedra word.

(3) In die geval van 'n pensioenfonds wat ingevolge artikel 2(3)(a) van die Wet op Pensioenfondse, 1956, saamgelees met regulasie 1 van die regulasies gepubliseer by Goewermentskennisgwing No. R. 98 van 26 Januarie 1962, vrygestel is , word die berekening van die heffing in subitem (1) bedoel, gebaseer op die getal lede en ander persone in daardie subitem bedoel, op 31 Desember 1998, soos daardie getal blyk uit die jongste statistieke wat by die betrokke Registrateur teen 30 Junie 1999 ingevolge enige wet ingedien is. Indien 'n oordrag van lede aan die gang is wat op 31 Desember 1998 nog nie afgehandel is nie, moet die oordraende fonds die heffing betaal ten opsigte van die lede wat oorgedra word.

(4) Die heffings bedoel in subitem (1), wat betaalbaar is deur 'n pensioenfonds bedoel in -

- (a) subitem (2), word nie later nie as 31 Oktober 1999 betaal; en
- (b) subitem (3), word gedeeltelik betaal nie later nie as 30 Junie 1999 en die balans nie later nie as 31 Oktober 1999.

Heffing vir die Pensioenfondsberegter

4. Ten opsigte van 'n pensioenfonds wat ingevolge die Wet op Pensioenfondse, 1956 (Wet No. 24 van 1956), geregistreer of voorlopig geregistreer is, insluitende 'n uittredingsannuïteitsfonds soos omskryf in artikel 1 van die Inkomste-

belastingwet, 1962 (Wet No. 58 van 1962), is die heffing vir die Pensioenfondsberegter 'n bedrag van 30c per lid van sodanige fonds en elke persoon wat gereeld periodieke betalings uit sodanige fonds ontvang. Hierdie heffing kan saam met die heffing bedoel in items 3(1), waar toepaslik, betaal word, en is betaalbaar op die datum bepaal in item 3(4).

Heffing op uittredingsannuiteitsfonds

5. (1) Ten opsigte van 'n uittredingsannuiteitsfonds bedoel in item 3(1), is die heffing 'n bedrag van R262 plus 'n bykomende bedrag gelyk aan 0,005 % van die waarde van die fonds se bates. Die waarde van die bates van 'n uittredingsannuiteitsfonds is vir die doeleindes van hierdie subitem -
1. in die geval van 'n fonds wat nie ingevolge artikel 2(3)(a) van die Wet op Pensioenfondse, 1956 (Wet No. 24 van 1956), saamgelees met regulasie 1 van die regulasies gepubliseer by Goerwerkmentskennisgewing No. R. 98 van 26 Januarie 1962, vrygestel is nie, die waarde van die daardie bates soos weerspieël in die waardasie daarvan in die 1998 statistieke wat by die betrokke Registrateur ingevolge enige wet ingedien is ; en
 2. in die geval van 'n fonds wat ingevolge artikel 2(3)(a) van die Wet op Pensioenfondse, 1956, saamgelees met regulasie 1 van die regulasies gepubliseer by Goerwerkmentskennisgewing No. R. 98 van 26 Januarie 1962, vrygestel is, die waarde van daardie bates soos weerspieël in die waardasie daarvan in die statistieke vir die finansiële periode wat gedurende 1998 eindig en wat teen 30 Junie 1999 by die betrokke Registrateur ingevolge enige wet ingedien moet word.
- (2) Die berekening van die waarde van die bates van 'n uittredingsannuiteitsfonds moet die waarde van 'n kontrak, indien enige,

insluit, waarin 'n langtermynversekeraar, in ruil vir 'n premie, onderneem om polisvoordele te verskaf vir die doel van die volle of gedeeltelike befondsing van die verpligting van 'n uittredingsannuïteitsfonds om voordele aan sy lede ingevolge sy reëls te verskaf.

- (3) Die heffing bedoel in subitem (1), moet nie later nie as 31 Oktober 1999 betaal word.

Heffing op onderlinge hulpverenigings

6. (1) Ten opsigte van 'n onderlinge hulpvereniging wat ingevolge daardie Wetgeregistreer of voorlopig geregistreer is, is die heffing 'n bedrag van R85 plus 75c per lid van sodanige vereniging (uitgesonderd 'n lid wat polisvoordele ontvang ingevolge 'n kontrak wat uitsluitlik op die bepaalde lid betrekking het en wat uitgereik is deur 'n langtermynversekeraar geregistreer of geag geregistreer te wees kragtens die Langtermynversekeringswet, 1998), of R1 800, watter totale bedrag die kleinste is.
- (2) Die berekening van die heffing bedoel in subitem(1) word gebaseer op die getal lede wat tot die vereniging bydra, soos daardie getal blyk uit die jongste beskikbare statistieke geliasseer by die Raad op 31 Augustus 1999 en by die betrokke Registrateur ingedien ingevolge enige wet.
- (3) Die heffing bedoel in subitem (1), word nie later as 31 Oktober 1999 betaal.

Heffing op korttermynversekeraars en onderskrywers van Lloyd's

7. (1) Ten opsigte van 'n versekeraar wat ingevolge die Korttermynversekeringswet, 1998 (Wet No. 53 van 1998), geregistreer is of geag geregistreer te wees om korttermynversekeringsbesigheid te dryf, word die heffing gebaseer op beraamde bruto premie-inkomste, aangesuiwer na die einde van sy boekjaar in ooreenstemming met sy werklike geouditeerde bruto premie-inkomste. Die heffing is 'n bedrag

gelyk aan 0,0725% van die eerste R60 miljoen bruto premie-inkomste plus 0,0168% daarna, of R7 250, watter totale bedrag ookal die grootste is.

- (2) Ten opsigte van 'n persoon aangestel ingevolge artikel 57(1) van die Korttermynversekeringswet, 1998, word die heffing gebaseer op beraamde bruto premie-inkomste vir die kalenderjaar wat op 31 Desember van die heffingsjaar eindig, maar wat jaarliks na 31 Desember aangesuiwer word in ooreenstemming met die bruto premie-inkomste wat ten behoeve van onderskrywers van Lloyd's in die Republiek vir die vorige kalenderjaar ontvang is soos in die Jaarverslag van die Registrateur van Versekeringswese of die Registrateur van Korttermynversekeringswese, watter een ook al van toepassing is, gepubliseer. Die heffing is 'n bedrag gelyk aan 0,0725% van die eerste R60 miljoen bruto premie-inkomste plus 0,0168% daarna, of R7 250, watter totale bedrag ookal die grootste is.
- (3) Die heffing op beraamde premie-inkomste word betaal in vier paaiemende voor of op 28 May, 31 Julie, 31 Oktober en 31 Januarie van die heffingsjaar. Betalings moet gegrond wees op beraamde bruto premie-inkomste vir die versekeraar se boekjaar wat na 1 April van die heffingsjaar eindig. Die aansuiwerings bedoel in subitems (1) en (2) word gekombineer met die derde betaling na die einde van 'n versekeraar se boekjaar. In die geval van Lloyd's word dit gekombineer met die Oktoberpaaiement.

Heffing op langtermynversekeraars

8. (1) Ten opsigte van 'n langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998, geregistreer is of geag geregistreer te wees en gemagtig is om -
- (a) een of meer as een amortisasie polis, fondspolis, gesondheidspolis, lewenspolis of ongeskiktheidspolis of een of meer van daardie polisse en 'n bystandspolis af te sluit, is die heffing 'n bedrag van R28 500 plus 0,005% van die verpligte ingevolge onafgeloste langtermynpolisse; of

- (b) alleenlik 'n bystandspolis af te sluit, is die heffing 'n bedrag van R2 850 plus 0,005% van die verpligtinge ingevolge onafgeloste langtermynpolisse.
- (2) Vir die doeleindes van hierdie item beteken "verpligtinge ingevolge onafgeloste langtermynpolisse" die verpligtinge soos bepaal aan die einde van die versekeraar se boekjaar wat in die kalenderjaar wat die heffingsjaar voorafgaan, ten einde geloop het, en die waarde van sodanige verpligtinge is die netto verpligtinge kragtens lopende polisse gereflekteer teen item 2 in kolom 6 van Staat O van Vorm F247, maar nie die verpligtinge nie ingevolge 'n kontrak ingevolge waarvan 'n langtermynversekeraar, in ruil vir 'n premie, onderneem om polisvoordele te verskaf vir die doel van die volle of gedeeltelike befondsing van die verpligting van 'n onderlinge hulpvereniging, soos omskryf in artikel 1 van die Wet op Onderlinge Hulpverenigings, 1956, of van 'n pensioenfondsorganisasie, soos omskryf in artikel 1 van die Wet op Pensioenfondse, 1956, om voordele aan sy lede ingevolge sy reëls te verskaf: Met dien verstande dat die verpligtinge wat van die omskrywing uitgesluit is, nie verpligtinge insluit nie ingevolge 'n kontrak wat uitsluitlik betrekking het op 'n bepaalde lid van 'n onderlinge hulpvereniging of 'n pensioenfondsorganisasie of op die oorlewende gade, kinders, afhanklikes of benoemdes van 'n bepaalde lid van sodanige onderlinge hulpvereniging of pensioenfondsorganisasie.
- (3) 'n Langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998, geregistreer is of geag geregistreer te wees -
- (a) op 1 April van die heffingsjaar, moet die volle heffings in subitems (1)(a) en (b) bedoel, betaal en mag daardie heffings in twee paaiememente betaal, naamlik -
- (i) 50% van die heffing of, sou die werklike waarde nie beskikbaar wees nie, 'n redelike skatting van sodanige heffing gebaseer op 'n redelike beraming van die waarde van die verpligtinge in subitem (2) bedoel, voor of op 28 Mei; en
- (ii) die balans voor of op 26 November, van die heffingsjaar; of
- (b) na 1 April maar nie na 1 Oktober van die heffingsjaar nie, moet die helfte van die heffings in subitems (1)(a) en (b) bedoel, in een

bedrag betaal as die enigste betaling, voor of op 26 November van die heffingsjaar.

Heffing op tussengangers

9. (1) Ten opsigte van 'n agent, makelaar of ander persoon bedoel in artikel 45 van die Korttermynversekeringswet, 1998 (Wet No. 53 van 1998), is die heffing 'n bedrag gelyk aan 0,0181% van die totale bruto premies soos oor verslag gedoen deur 'n ouditeur of rekenkundige beampte, na gelang van die geval, ingevolge artikel regulasie 4.4 kragtens genoemde Wet, wat deur sodanige agent, makelaar of ander persoon gedurende sy jongste boekjaar ten behoeve van geregistreerde versekeraars, en onderskrywers by Lloyd's ontvang is, of R70, watter totale bedrag ookal die grootste is.
(2) Die heffing bedoel in subitem (1), word nie later nie as 30 September van die heffingsjaar betaal en word gebaseer op die totale bruto premies op 31 Julie van elke heffingsjaar soos verskaf deur die Suid-Afrikaanse Versekeringsvereniging.

Heffing op effekte-trustskemas in ander effekte as eiendomsaandele

10. Ten opsigte van effekte-trustskemas in ander effekte as eiendomsaandele, soos bedoel in die Wet op Beheer van Effekte-trustskemas, 1981 (Wet No. 54 van 1981), is die heffing 'n totale bedrag van R2 884 200 vir al sodanige skemas wat kragtens artikel 4 van genoemde Wet geregistreer is te eniger tyd gedurende die heffingsjaar, betaalbaar in vier kwartaallikse paaiememente op of voor 30 Junie, 30 September, 31 Desember en 31 Maart van die betrokke heffingsjaar. Die kwartaallikse bedrae word betaal op die grondslag van statistiek soos aan die einde van die voorafgaande kwartaal en word verdeel tussen alle bestuursmaatskappye van effekte-trustskemas wat op daardie datum geregistreer is. Die berekening van die verskuldigde heffings is soos volg: 10% in gelyke mate verdeel tussen alle bestuursmaatskappye; 60% verdeel ooreenkomsdig die getal effektegroepes geadministreer deur elke bestuursmaatskappy; en 30% verdeel in verhouding tot die totale bates onder bestuur deur elke bestuursmaatskappy.

Heffing op buitelandse kollektiewe beleggingskemas

11. (1) Ten opsigte van 'n buitelandse kollektiewe beleggingskema goedgekeur ingevolge artikel 37A van die Wet op Beheer van Effekte-trustskemas, 1981, is die heffing betaalbaar in vier kwartaallikse paaiememente en elke paaiement bestaan uit -
- (a) 'n nominale bedrag ten opsigte van elke skema; plus
 - (b) 'n nominale bedrag ten opsigte van elke effektegroep, fonds of subskema; plus
 - (c) 'n bedrag bereken teen 'n persentasiekoers van die netto bates onder bestuur namens Suid-Afrikaanse beleggers, welke bedrae bereken word in ooreenstemming met daardie van toepassing op effekte-trustskemas in ander effekte as eiendomsaandele, geregistreer ingevolge die Wet op Beheer van Effekte-trustskemas, 1981: Met dien verstande dat indien 'n goedgekeurde buitelandse kollektiewe beleggingskema nie 'n geassosieerde lid van Die Vereniging van Effektetrusts van Suid-Afrika is nie, die bedrag betaalbaar ingevolge paragraaf (b) verdubbel word.
- (2) Die heffing word op 30 Junie, 30 September ,31 Desember en 31 Maart van die heffingsjaar bereken op die grondslag van statistiek soos aan die einde van die voorafgaande kwartaal, voorsien aan die betrokke Registrateur binne 30 dae na die einde van sodanige kwartaal en is agterna betaalbaar binne 60 dae na die einde van elke kwartaal.
- (3) Vir die doeleindes van subitem (2), moet die statistiek wat aan die betrokke Registrateur voorsien word, besonderhede bevat van alle verkope en aflossings of terugkope binne Suid-Afrika.
- (4) Heffings is ten opsigte van alle maande binne enige betrokke kwartaal betaalbaar.

Heffing op effekte-trustskemas in eiendomsaandele

12. Ten opsigte van 'n bestuursmaatskappy van 'n effekte-trustskema in eiendomsaandele, soos bedoel in die Wet op Beheer van Effekte-trustskemas, 1981, is

die heffing 'n bedrag van R29 526 op elke effektegroep van so 'n skema, betaalbaar deur so 'n bestuursmaatskappy nie later nie as 28 Mei van die heffingsjaar.

Heffing op deelnemingsverbandskemas

13. (1) Ten opsigte van 'n bestuurder van 'n deelnemingsverbandskema wat ingevolge artikel 37 van die Wet op Beheer van Effekte-trustskemas, 1981, vrygestel is, is die heffing 'n bedrag van R2 943 plus 'n bedrag wat bereken word deur die totale bedrag verskuldig deur verbandgewers op 31 Desember van die jaar wat die heffingsjaar voorafgaan, te vermenigvuldig met die syfer 0,00677%.
- (2) Die heffing bedoel in subitem (1) word nie later nie as 28 Mei van die heffingsjaar betaal.

Heffing op aandelebeurse

14. (1) Ten opsigte van 'n aandelebeurs wat ingevolge die Wet op Beheer van Aandelebeurse, 1985 (Wet No. 1 van 1985), gelisensieer is, is die heffing 'n bedrag van R1 711 229.
- (2) Die heffing bedoel in subitem (1), word nie later nie as 28 Mei van die heffingsjaar betaal.

Heffing op finansiële beurse

15. (1) Ten opsigte van-
- (a) die Suid-Afrikaanse Termynbeurs, gelisensieer ingevolge die Wet op Beheer van Finansiële Markte, 1989 (Wet No. 55 van 1989), is die heffing 'n bedrag van R946 316; en
- (b) die Effektebeurs van Suid-Afrika, ook aldus gelisensieer, is die heffing 'n bedrag van R899 169.
- (2) Die heffings bedoel in paragrawe (a) en (b) van subitem (1) word betaal deur die betrokke beurs nie later nie as 28 Mei van die heffingsjaar.

Heffing op beleggingsbestuurders

16. (1) 'n Persoon of 'n persoon wat in 'n kategorie van persone val (hieronder 'n beleggingsbestuurder genoem), wat voor of op 31 Desember van die jaar wat die heffingsjaar voorafgaan ingevolge artikel 4 van die Wet op Beheer van Aandelebeurse, 1985, of artikel 5 van die Wet op Beheer van Finansiële Markte, 1989, goedgekeur is, moet voor of op 28 Mei van die heffingsjaar, 'n heffing betaal wat soos volg bereken is:

- (a) 'n grondbedrag van R2 280; en
- (b) $A \times 0,00000912$

waar A = die totale waarde van die beleggings wat bestuur word soos beoog in artikel 4 van die Wet op Beheer van Aandelebeurse, 1985, of artikel 5 van die Wet op Beheer van Finansiële Markte, 1989, na gelang van die geval, op 31 Desember van die jaar wat die heffingsjaar voorafgaan, onderhewig aan 'n maksimum van R20 biljoen: Met dien verstande dat die beleggings onder bestuur wat in buitelandse valuta gehou word, ingesluit moet word teen die wisselkoers wat in die Pers op daardie datum gepubliseer is.

(2) 'n Beleggingsbestuurder goedgekeur tussen 1 Januarie en 30 Junie van die heffingsjaar (albei dae ingesluit), moet voor of op 31 Oktober van die heffingsjaar, 'n heffing betaal wat soos volg bereken is:

- (a) 'n grondbedrag van $0,5 \times R2 280$; en
- (b) $0,5 \times [A \times 0,00000912]$

waar A = die totale waarde van die beleggings wat bestuur word soos beoog in artikel 4 van die Wet op Beheer van Aandelebeurse, 1985, of artikel 5 van die Wet op Beheer van Finansiële Markte, 1989, na gelang van die geval, op 30 Junie van die heffingsjaar, onderhewig aan 'n maksimum van R10 biljoen: Met dien verstande dat die beleggings onder bestuur wat in buitelandse valuta gehou word, ingesluit moet word teen die wisselkoers wat in die Pers op daardie datum gepubliseer is.

Heffing op sentrale effektebewaarnemers

17. (1) Ten opsigte van 'n sentrale effektebewaarnemer geregistreer ingevolge artikel 9 van die Wet op die Bewaring en Administrasie van Effekte, 1992 (Wet No. 85 van 1992), is die heffing 'n bedrag van R199 694.
- (2) Die heffing bedoel in subitem (1) word nie later nie as 28 Mei van die heffingsjaar betaal.

ALGEMEEN

Betaling van heffings

18. (1) Die heffings en rente (as daar is) daarop in hierdie Kennisgewing bedoel, is deur die betrokke finansiële instelling betaalbaar deur middel van 'n tjak, posorder of geldwissel uitgemaak ten gunste van, of 'n geldoordrag na, die Raad.
- (2) Op bedrae van agterstallige heffings word rente teen 'n koers gelykstaande aan die heersende prima oortrekkingskoers van Standard Bank van Suid-Afrika Beperk gehef.
- (3) Die bedrae van heffings in hierdie Kennisgewing bedoel, sluit BTW in.

Aansoeke om vrystelling

19. (1) 'n Aansoek deur 'n finansiële instelling om die verlening kragtens artikel 15A (4) van die Wet van vrystelling van 'n bepaling van hierdie Kennisgewing moet skriftelik gerig word aan die Uitvoerende Beampte, Raad op Finansiële Dienste, Posbus 35655, Menlopark, 0102, op 'n datum minstens een maand voor die datum waarop die vrystelling ooreenkomsdig die aansoek in werking moet tree.
- (2) So 'n aansoek moet volledige besonderhede bevat van die finansiële instelling, die magtiging van die persone wat die aansoek onderteken en die datum waarop die vrystelling in werking moet tree, indien verleen, en moet die redes vir die aansoek volledig uiteensit.

(3) Die aansoek moet -

- (a) 'n bevestiging bevat van die betrokke finansiële instelling om, by ontvangs van so 'n versoek, die Uitvoerende Beampte onverwyld te voorsien van die ander of verdere inligting of besonderhede wat die Raad mag verlang in verband met die betrokke instelling of aansoek;; en
 - (b) besonderhede bevat van die adres waar die instelling betekening deur die Raad sal ontvang van enige kennisgewing beoog in artikel 15A (4) (b) (ii) van die Wet.
- (4) 'n Kennisgewing bedoel in artikel 15A (4) (b) (ii) van die Wet word op las van die Raad deur die Uitvoerende Beampte per geregistreerde pos beteken by die adres wat die finansiële instelling ooreenkomstig subitem (3) (b) verstrek het.

Gekonsolideerde betalings

20. Indien enige liggaam wat deur die Raad as ten volle verteenwoordigend van 'n kategorie finansiële instellings beskou word, in 'n bepaalde heffingsjaar aanbied om 'n gekonsolideerde betaling van heffings te maak namens daardie kategorie ingevolge 'n ooreenkoms aangegaan tussen sodanige instellings en die liggaam, kan die Raad so 'n aanbod aanvaar indien die betaling gemaak word ooreenkomstig die bepalings van hierdie Kennisgewing: Met dien verstande dat indien om enige rede so 'n gekonsolideerde betaling nie aldus op die voorgeskrewe datums van betaling gemaak word nie, elke afsonderlike betrokke finansiële instelling ten volle aanspreeklik bly vir die heffing deur hom verskuldig plus rente (as daar is) op daardie bedrag bereken ooreenkomstig item 18 (2).

Intrekking van kennisgewings en voorbehoud

21. (1) Raadskennisgewings 66 van 22 April 1998 en 114 van 17 Julie 1998 word hierby, behoudens subitem (2), ingetrek.
- (2) Indien op die datum van inwerkingtreding van hierdie Kennisgewing enige finansiële instelling nog nie 'n heffing en rente verskuldig daarop, soos opgelê deur 'n bepaling in 'n kennisgewing in subitem (1) vermeld, ten volle betaal het nie, word enige sodanige bepaling, tesame met enige ander bepaling van 'n kennisgewing in daardie subitem vermeld wat verband hou

met eersbedoelde bepaling, geag, ten opsigte van die betrokke instelling en die betrokke verskuldigde bedrag, nie deur subitem (1) ingetrek te wees nie totdat sodanige skuld ten volle vereffen is.



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CONTENTS

No.	Page No.	Gazette No.
BOARD NOTICE		
47 Financial Services Board Act (97/1990): Levies on financial institutions	1	20021

INHOUD

No.	Bladsy No.	Koerant No.
RAADSKENNISGEWING		
47 Wet op die Raad op Finansiële Dienste (97/1990): Heffings op finansiële instellings	16	20021

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Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515