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## GOVERNMENT NOTICE

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### DEPARTMENT OF FINANCE

No. 1263

30 November 2001

## FINANCIAL MARKETS CONTROL ACT, 1989 DECLARATION OF FINANCIAL INSTRUMENTS

1. Under paragraph (d) of the definition of "financial instrument" in section 1 of the Financial Markets Control Act, 1989 (Act No. 55 of 1989), I, Jeffrey van Rooyen, Registrar of Financial Markets, hereby declare –
  - (a) warrants;
  - (b) index tracking certificates; and
  - (c) an instrument based on an underlying asset,listed on a licensed stock or financial exchange, to be financial instruments for the purposes of the Financial Markets Control Act, 1989.
2. For the purposes of this Notice, "underlying asset" means –
  - (a) any security as defined in the Unit Trusts Control Act, 1981 (Act No. 54 of 1981);
  - (b) an index as determined by an exchange referred to above;
  - (c) a group of securities, as defined in the Unit Trusts Control Act, 1981, which is the subject matter of the financial instrument whether such group of securities is represented by an index or not;
  - (d) in the case of a warrant, option contract or futures contract, any underlying asset referred to in paragraphs (a), (b) and (c).



**J. VAN ROOYEN**  
**Registrar of Financial Markets**  
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