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**BOARD NOTICE
RAADSKENNISGEWING**

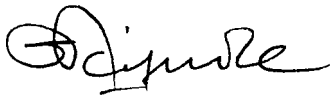
BOARD NOTICE- 71 OF 2007
FINANCIAL SERVICES BOARD

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.



A M Sithole

Deputy Chairperson: 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;
 - (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;
 - (iii) "levy year" means the period from 1 April 2007 to 31 March 2008 and, subject to this Notice and any amendment or repeal thereof, such corresponding period in succeeding years, in respect of which levies are imposed;
 - (iv) "relevant Registrar" means the Registrar mentioned in a financial services law concerned;
 - (v) "the Act" means the Financial Services Board Act, 1990 (Act No. 97 of 1990).

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) (including a preservation fund), 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 R753,24 (R86,16 reduced by a levy rebate amount of R132,92), plus an additional amount of R6,21 (R7,31 reduced by a levy rebate amount of R1,10) per member of such fund but excluding any member whose benefit in the fund remained unclaimed and R6,21 (R7,31 reduced by a levy rebate amount of R1,10) in respect of every other person who receives regular periodic payments from such fund but excluding any member whose benefit in the fund remained unclaimed, or R1 247 885 (R1 468 100 reduced by a levy rebate amount of R220 215), which total amount is the lesser. A pension fund registered under an umbrella scheme must pay an additional levy of R195,52 (R230,02 reduced by a levy rebate amount of R34,50) in respect of each registered participating employer, except where an umbrella fund has been exempted by the Registrar from the payment of the levy for each participating employer. The maximum levy applies in respect of each participating employer and not in respect of the umbrella scheme as such.
- (2) In the case of a privately administered pension fund, 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 of the levy year. If a transfer of members is in process and not finalised on 31 August of the levy year, the transferor must pay the levy in respect of the members to be transferred. Where the appointment of a liquidator of a fund is approved by the Registrar during the levy year, the levy for the fund is payable for the full levy year and no further levy will thereafter be payable.
- (3) In the case of an underwritten pension fund, 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 -

- (a) on the date of publication of this Notice for the purpose of provisional payment of the levy; and
- (b) on file with the Board on 30 June of the levy year for the purpose of finalising the levy.

If a transfer of members is in process and not finalised on 31 August of the levy year, the transferor must pay the levy in respect of the members to be transferred. Where the appointment of a liquidator of a fund is approved by the Registrar during the levy year, the levy for the fund is payable for the full levy year and no further levy will thereafter be payable.

- (4) In the case of a pension fund that is exempted in terms of section 2(2) of the Pension Funds Act, 1956, from the provisions, other than sections 3 and 4(1) and (2), of that Act, 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 who are South African citizens, resident in the Republic, 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 30 June of the levy year. Where the appointment of a liquidator of a fund is approved by the Registrar during the levy year, the levy for the fund is payable for the full levy year and no further levy will thereafter be payable.
- (5) The levies referred to in subitem (1), which are payable by a pension fund referred to in -
 - (a) subitems (2) and (4), must be paid not later than 31 October of the levy year; and
 - (b) subitem (3), must, in the case of the provisional payment, be paid not later than 30 July of the levy year and the balance within 30 days from the date of final invoice.

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 R2,65 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(5).

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 R753,24 (R886,16 reduced by a levy rebate amount of R132,92) plus an additional amount equal to 0,004897% (0,0066% reduced by a levy rebate of 0,001703%) of the value of the assets of the fund. Where the appointment of a liquidator of a fund is approved by the Registrar during the levy year, the levy for the fund is payable for the full levy year and no further levy will thereafter be payable. 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 of the fund determined at the time of the valuation thereof by the insurer for the purpose of determining its liabilities excluded in item 8(2)(b) from the definition of "liabilities", as well as any other assets held by the fund to enable it to meet its obligations towards its members; 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 26 January 1962, the value of those assets of the fund determined at the time of the valuation thereof by the insurer for the purpose of determining its liabilities excluded in item 8(2)(b) from the definition of "liabilities".
- (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) which are payable by a retirement annuity fund referred to in -

(a) subitem (1)(a), must be paid not later than 31 October of the levy year; and

(b) subitem (1)(b), must, in the case of the provisional payment, be paid not later than 30 July of the levy year and the balance within 30 days from the date of final invoice.

Levy on friendly societies

6. With effect from 1 April 2006, any friendly society registered or provisionally registered in terms of section 3(2)(a) of the Friendly Societies Act, 1956 (Act No. 25 of 1956), is exempted from the payment of levies.

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

7. (1) In respect of an insurer 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, including any rebates, for the insurer's financial year ending during the period from 1 July to 31 March of the current levy year or ending during the period from 1 April to 30 June of the following levy year, adjusted after the end of its financial year in accordance with its actual audited gross premium income, including any rebates. Irrespective of the length of the financial period of the insurer, the levy shall be an amount equal to 0,107% of the first R60 million gross premium income, including any rebates, plus 0,0247% thereafter, or R10 700, whichever total amount is the greater. The rate in force at the end of the financial period of the insurer shall be applicable for the whole of the period ending on such date:

Provided that, subject to subitem (3), the levy in this *subitem* in respect of a short-term insurer which was registered or deemed to be registered in terms of the Short-term Insurance Act, 1998, on any day of the levy year preceding the previous levy year shall be reduced by a levy rebate equal to 0,0047390/0 of the actual audited gross premium income, including any rebates, for the insurer's financial year which ended during the period from 1 July to 31 March of the levy year preceding the previous levy year or which ended during the period from 1 April to 30 June of the previous levy year.

- (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 Short-term Insurance. The levy shall be an amount equal to 0,107% of the first R60 million gross premium income plus 0,0247% thereafter, or R10 700, whichever total amount is the greater:

Provided that, subject to subitem (3), the levy in this subitem in respect of a person appointed in terms of section 57(1) of the Short-term Insurance Act, 1998, shall be reduced by a levy rebate equal to 0,004739% of the actual audited gross premium income which was received on behalf of underwriters at Lloyd's in the Republic for the calendar year preceding the previous levy year as published in the Annual Report of the Registrar of Short-term Insurance.

- (3) A short-term insurer which was registered or deemed to be registered in terms of the Short-term Insurance Act, 1998, on any day of the levy year, must pay the full levies referred to in subitem (1).
- (4) The levy based on estimated premium income shall be paid in two instalments before or on 30 July and 31 October of the levy year. The adjustment referred to in subitem (1) shall be combined with the first or second payment after the end of the insurer's financial year and the levy rebate referred to in the proviso to subitem (1) shall be combined with the second payment after the end of the insurer's financial year. In the case of Lloyd's the adjustment referred to in subitem (2) and the levy

rebate referred to in the proviso to subitem (2) 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 (Act No. 52 of 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 R37 000 plus 0,00660/0 of the liabilities under unmaturing long-term policies; or
 - (b) enter into an assistance policy only, the levy is an amount of R3 700 plus 0,0066% of the liabilities under unmaturing long-term policies:

Provided that, subject to subitem (3), the levy -

- (i) in paragraph (a) shall be reduced by a levy rebate of R3700 in respect of a long-term insurer which was registered or deemed to be registered in terms of the Long-term Insurance Act, 1998, on 1 April of the previous levy year, or R1 850 if the long-term insurer was registered or deemed to be registered in terms of the Long-term Insurance Act, 1998, after 1 April but not after 1 October of the previous levy year, plus 0,001703% of the liabilities under unmaturing long-term policies as determined at the end of the long-term insurer's financial year which ended in the calendar year preceding the previous levy year;
- (ii) in paragraph (b) shall be reduced by a *levy* rebate of R370 in respect of a long-term insurer which was registered or deemed to be registered in terms of the Long-term Insurance Act, 1998, on 1 April of the previous levy year, or R185 if the long-term insurer was registered or deemed to be registered in terms of the Long-term Insurance Act, 1998, after 1 April but not after 1 October of the previous levy year, plus 0,001703% of the liabilities under unmaturing long-term policies as determined at the end of the long-term

insurer's financial year which ended in the calendar year preceding the previous levy year.

- (2) The expression "liabilities under unmaturing long-term policies" in subitems (1)(a) and (b) -
- (a) 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 gross liabilities under unmaturing policies reflected against the item "Gross policy liabilities" in column 9 of Statement C9 of the Long-term Return (Form LT2006), or means, if the long-term insurer had no financial year which ended in the calendar year preceding the levy year, the gross liabilities as reflected at the end of the long-term insurer's financial year which ended in the calendar year preceding the previous levy year;
 - (b) 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 organisation, 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 organisation, or to the surviving spouse, children, dependants or nominees of a particular member of such friendly society or pension fund organisation.
- (3) A long-term insurer which was 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) in accordance with subitem (4); or
 - (b) after 1 April but not after 1 October of the levy year, must pay half the levies referred to in subitems (1)(a) and (b) in one amount as the only payment, before or on 31 October of the *levy* year.

- (4) The levies referred to in subitem (3)(a) must be paid in two instalments, namely-
- (a) 50% of the levy, excluding the levy rebate in the proviso to subitem (1), 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 referred to in subitem (2), before or on 30 July of the levy year; and
 - (b) the balance of the levy, including the levy rebate in the proviso to subitem (1), before or on 31 October of the levy year; and
 - (c) if the payment was based on an estimate as referred to in subitem (4)(a), an adjustment in accordance with the actual value of the liabilities referred to in subitem (2) must be combined with the next levy payment after such actual value has been determined and furnished to the Board.

Levy on intermediaries

9. (1) In respect of an agent, broker or other person referred to in section 45 of the Short-term Insurance Act, 1998, the levy is an amount equal to 0,011 % 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, and 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 R81, whichever total amount is the greater.
- (2) The levy referred to in subitem (1), must be paid not later than 30 November of the levy year and shall be based on the total gross premiums on 30 September of each levy year as provided by the South African Insurance Association, subject to a maximum of R196 363 700.

Levy on collective investment schemes in securities

10. (1) In respect of collective investment schemes in securities, as referred to in the Collective Investment Schemes Control Act, 2002 (Act No. 45 of 2002), the levy is a total amount of R5 698 560, plus any amount payable in terms of subitem (10)(2) below, for all such schemes administered by a manager registered in terms of section 42 of the said Act at any time during the levy year, reduced by a total levy rebate of R1 531 042, which brings the levy payable to R4 167 518, plus any

amount payable in terms of *subitem* (10)(2) below. The amount shall be payable in four quarterly instalments on or before 30 July 2007, 30 September 2007, 31 December 2007 and 31 March 2008. 50% of the levy rebate will be deducted from the levy payable in respect of the quarter ending 30 September 2007 and 50% in respect of the quarter ending 31 December 2007. The quarterly amounts are paid on the basis of statistics as at the end of the preceding quarter and are apportioned amongst all managers registered at that date. The calculation of levies due is as follows:

- (a) 10% apportioned equally amongst all managers;
 - (b) 60% apportioned according to the number of portfolios administered by each manager; and
 - (c) 30% apportioned in proportion to the *total* assets administered by each manager:
- (2) If a manager is not a member of the Association of Collective Investments, the amounts payable in terms of subitems (1)(a), (b) and (c) are doubled.

Levy on foreign collective investment schemes

11. (1) In respect of foreign collective investment schemes approved in terms of section 65 of the Collective Investment Schemes Control Act, 2002, the levy shall be payable in four quarterly instalments, each instalment consisting of -
- (a) an amount of R3 670 in respect of each scheme; plus
 - (b) an amount of R1 990 in respect of each portfolio, fund or sub-scheme; plus
 - (c) 0,000190% of the net amount of assets managed on behalf of South African investors,

reduced by a total levy rebate of R1 288 352, apportioned in proportion to the levy payable by each scheme during the levy year, 50% of such levy rebate to be deducted from the levy payable by each scheme in respect of the quarter ending 30 September 2007 and 50% in respect of the quarter ending 31 December 2007.

- (2) If a manager of an approved foreign collective investment scheme is not an associate member of the Association of Collective Investments, the amounts payable in terms of subitems (1)(a), (b) and (c) are doubled.
- (3) The amounts shall be payable in four quarterly instalments on or before 30 July 2007, 30 September 2007, 31 December 2007 and 31 March 2008. The amounts are calculated on the basis of statistics as at the end of the preceding quarter, which statistics must be furnished to the Registrar within 30 days after such quarter end.
- (4) For the purposes of subitem (2) the statistics to be furnished to the relevant Registrar must contain details of all sales and redemptions or buy-backs in South Africa.
- (5) Levies are payable in respect of all months falling within any relevant quarter.

Levy on collective investment schemes in property

12. (1) In respect of a manager of a collective investment scheme in property, as referred to in the Collective Investment Schemes Control Act, 2002, the levy is an amount of R48 506 on every portfolio, reduced by a levy rebate of R13 032 in respect of each portfolio administered by a manager registered in terms of section 51 of the said Act, which brings the levy payable in respect of each portfolio to R35 474.
- (2) The levy referred to in subitem (1) must be paid not later than 30 July of the levy year.

Levy on collective investment schemes in participation bonds

13. (1) In respect of a manager administering a collective investment scheme in participation bonds, registered in terms of section 53 of the Collective Investment Schemes Control Act, 2002, the levy is an amount of R4 770, plus an amount calculated by multiplying the aggregate amount owing by mortgagors on 31 December 2006, by the figure of 0,00995% . From the total levy calculated in respect of all managers of collective investment schemes in participation bonds, a

total levy rebate of R102 413 shall be deducted pro rata from the levy payable by each manager.

- (2) The levy referred to in subitem (1) must be paid not later than 30 July of the levy year.

Levy on exchanges

14. (1) In respect of JSE Limited, an exchange licensed in terms of section 10 of the Securities Services Act, 2004 (Act No. 36 of 2004), the levy is an amount of R4 495 200.

- (2) In respect of the Bond Exchange of South Africa, licensed in terms of section 10 of the Securities Services Act, 2004 (Act No. 36 of 2004), the levy is an amount of R1 746 700.

- (3) The levies referred to in subitem (1) and (2) must be paid not later than 30 July of the levy year.

Levy on authorised financial services providers

15. (1) Subject to subitem (5), a person who is authorised in terms of section 8 of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), as a Category I financial services provider as defined in the Determination of Fit and Proper Requirements for Financial Services Providers, 2006, excluding any such provider who is also a Category II or III provider referred to in subitem (3) or any such Category I provider referred to in subitem (4), must pay the levy referred to in subitem (2) on or before 30 November of the levy year.

- (2) The levy, which is subject to a maximum of R800 000, is calculated as follows:

(a) a base amount of R1 725, and

(b) $A \times R307$

where-

A = the total number of key individuals of the financial services provider approved by the Registrar plus the total number of representatives appointed by the financial services provider, as at 30 September of the levy year.

- (3) Subject to subitem (5), a person who is authorised in terms of section 8 of the Financial Advisory and Intermediary Services Act, 2002, as a Category I or II financial services provider as defined in the Determination of Fit and Proper requirements for Financial Services Providers, 2006, must pay a levy which is subject to a maximum of R800 000 and which is calculated as follows:

(a) a base amount of R3 950; and

(b) $A \times R307$; and

(c) $B \times 0,000010727$

where-

A = the total number of key individuals of the financial services provider approved by the Registrar plus the total number of representatives appointed by the financial services provider, as at 30 September of the levy year; and

B = the total value of investments managed on behalf of clients in terms of the authorisation as a financial services provider on 30 June of the levy year: Provided that investments under management held in foreign currency must be included at the exchange rate published in the Press at that date.

- (4) Subject to subitem (5), a person who is authorised in terms of section 8 of the Financial Advisory and Intermediary Services Act, 2002, as a Category I financial services provider as contemplated in subitem (1), who renders financial services only in connection with financial products belonging to Long-term Insurance Category A, referred to in subcategory (1) in Column One of Table A in paragraph 3(1) of the Determination of Fit and Proper Requirements for Financial Services Providers, 2006, must on or before 30 November of the levy year pay a levy of R1 725.
- (5) Multiple authorised financial services providers who form part of the same legal entity are jointly and severally liable for payment of a single levy as referred to in subitem (2), (3) or (4), as the case may be. For the purpose of such payment, the key individuals and the representatives of such authorised financial services

providers are deemed to be the key individuals and representatives of one authorised financial services provider.

Levy for Funding of Office of Ombud for Financial Services Providers

16. (1) Subject to subitem (3), a person who is authorised in terms of section 8 of the Financial Advisory and Intermediary Services Act, 2002, as a Category I, " or "' financial services provider as defined in the Determination of Fit and Proper Requirements for Financial Services Providers, 2006, must pay the levy referred to in subitem (2) on or before or on 30 November of the levy year.

(2) The levy, which is subject to a maximum of R120 000, is calculated as follows:

- (a) a base amount of R440, and
- (b) $A \times R165$

where-

$A =$ the total number of key individuals of the financial services provider approved by the Registrar plus the total number of representatives appointed by the financial services provider, as at 30 September of the levy year.

(3) Multiple authorised financial services providers who form part of the same legal entity are jointly and severally liable for payment of a single levy as referred to in subitem (2). For the purpose of such payment, the key individuals and the representatives of such authorised financial services providers are deemed to be the key individuals and representatives of one authorised financial services provider.

Levy on central securities depositories

17. (1) In respect of Strate Limited, licensed in terms of section 32 of the Securities Services Act, 2004 (Act No. 36 of 2004), the levy is an amount of R1 210 200.

(2) The levy referred to in subitem (1) must be paid not later than 30 July of the levy year.

Levy on financial markets in respect of market abuse

18. (1) The levy for the payment of the costs of performing the functions of the Board and the Directorate of Market Abuse in terms of the Securities Services Act, 2004 (Act No. 36 of 2004), is payable by the exchanges licensed in terms of section 10 of the Securities Services Act, 2004, namely the JSE Limited and the Bond Exchange of South Africa. The total levy for the levy year amounts to R7 400 000.
- (2) The total levy is calculated and payable on the following basis:
- (a) JSE Limited pays the amount of R1 480 000, being 20% of the total levy, before or on 30 July of the levy year.
 - (b) The Bond Exchange of South Africa pays the amount of R740 000, being 10 % of the total levy, before or on 30 July of the levy year.
 - (c) The balance of the total levy, being R5 180 000, is payable in four instalments on a user-pay basis by the exchanges where market abuse investigations were executed. The amount is payable in quarterly instalments on or before 30 July, 30 September, 31 December and 31 March of the levy year.
- (3) In addition to the total levy referred to in subitem (1), the legal costs actually incurred by the Board in respect of market abuse litigation are payable quarterly in arrears by the relevant exchange.

GENERAL

Payment of levies

19. (1) The levies and interest (if any) referred to in this Notice shall, subject to the provisions of this Notice, be payable by a financial institution concerned to the Board by means of a cheque, postal order or money order, or a money transfer.
- (2) Interest will be charged on all overdue accounts at the prime overdraft rate quoted by the Standard Bank of South Africa Ltd.

Application for exemption

20. (1) An application by any financial institution for the granting under section 15A(4) of the Act of exemption from a provision of this Notice shall be submitted in writing to the Executive Officer, Financial Services Board, POBox 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 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 must set out fully the reasons for the application.
- (3) The application must-
- (a) contain an affirmation 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 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

21. 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 that category in terms of an agreement concluded between such category 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 dates of payment, every individual financial institution concerned

shall remain fully responsible for the individual payment payable by it, plus interest (if any) on that amount calculated in accordance with item 19(2).

Withdrawal of notices and saving

22. (1) Board Notice 51 of 30 May 2006 is, subject to subitem (2), withdrawn.
- (2) If on the date of coming into operation 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 such notice which relates to the *first-mentioned* provision, shall be deemed in respect of the institution concerned and the relevant due amount not to be withdrawn by subitem (1) until such debt is fully discharged.

RAADSKENNISGEWING 71 VAN 2007

RAAD OP FINANSIELE DIENSTE

WET OP DIE RAAD OP FINANSIELE DIENSTE, 1990

HEFFINGS OP FINANSIELE 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 in die Bylae aan finansiële instellings op.

Op las van die Raad op Finansiële Dienste.



AM Sithole

Ondervoorsitter: 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;
 - (ii) "die Wet" die Wet op die Raad op Finansiële Dienste, 1990 (Wet No. 97 van 1990);
 - (iii) "heffingsjaar" die tydperk vanaf 1 April 2007 tot 31 Maart 2008 en, behoudens hierdie Kennisgewing en enige wysiging of herroeping daarvan, so 'n ooreenstemmende tydperk in daaropvolgende jare, ten opsigte waarvan heffings opgele word;
 - (iv) "Raad" die Raad op Finansiële Dienste bedoel in die Wet;
 - (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.

Oplê van heffings

2. Die hefting vermeld in In item van hierdie Kennisgewing word hierby ten opsigte van die finansiële instelling in die item bedoel en die heffingsjaar opgele.

Hefting op pensioenfondse

3. (1) Ten opsigte van In pensioenfonds wat ingevolge die Wet op Pensioenfondse, 1956 (Wet No. 24 van 1956), geregistreer of voorlopig geregistreer is (insluitend In bewaringsfonds), uitgesonderd In uittredingsannuïteitsfonds soos omskryf in artikel 1 van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), is die hefting In bedrag van R753,24 (R886,16 verminder met In heffingskorting van R132,92), plus In bykomende bedrag van R6,21 (R7,31 verminder met 'n heffingskorting van R1,10) per lid van sodanige fonds maar uitgesluit enige lid wie se voordele in die fonds onopgeëis is, en R6,21 (R7,31 verminder met 'n heffingskorting van R1,10) ten opsigte van elke ander persoon wat gereelde periodieke betalings uit sodanige fonds ontvang maar uitgesluit enige lid wie se voordele in die fonds onopgeëis is, of R1 247 885 (R1 468 100 verminder met 'n heffingskortings van R220 215), wattertotale bedrag die kleinste is. 'n Pensioenfonds wat onder In sambreelskema geregistreer is, moet In bykomende heffing van R195,52 (R230,02 verminder met en heffingskorting van R34,50) betaal ten opsigte van elke deelnemende werkgewer, behalwe waar 'n sambreelskema deur die registrateur vrygestel is van die betaling van die heffings vir elke deelnemende werkgewer. Die maksimum heffing geld ten opsigte van elke deelnemende werkgewer en nie ten opsigte van die sambreelskema as sodanig nie.
- (2) In die geval van In privaat geadministreerde pensioenfonds, word die berekening van die heffing in subitem (1) bedoel, gebaseer op die getar 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 van die heffingsjaar by die Raad geliasseer is. Indien 'n oordrag van lede aan die gang is wat op 31 Augustus van die heffingsjaar nog nie afgehandel is nie, moet die oordraggewende fonds die hefting betaal ten opsigte van die lede wat oorgedra word. Waar die Registrateur die aanstelling van In likwidateur van 'n fonds gedurende die heffingsjaar goedkeur, is die hefting van die fonds vir die volle heffingsjaar betaalbaar en daarna is geen verdere hefting betaalbaar nie.

(3) In die geval van In onderskryfde pensioenfonds word die berekening van die hefting in subitem (1) bedoel, gebaseer op die getal lede en ander persone in daardie subitem bedoel, 5005 daardie getal blyk uit die jongste statistieke wat by die betrokke Registrateur ingevalge enige wet ingedien is -

(a) op die datum van publikasie van hierdie Kennisgewing met die oog op die voorlopige betaling van die heffing; en

(b) op 30 Junie van die heffingsjaar by die Raad geliasseer is met die oog op finalisering van die heffing.

Indien 'n oordrag van lede aan die gang is wat op 31 Augustus van die heffingsjaar nag nie afgehandel is nie, moet die oordraggewende fonds die hefting betaal ten opsigte van die lede wat oorgedra word. Waar die Registrateur die aanstelling van 'n likwidateur van 'n fonds gedurende die heffingsjaar goedkeur, is die heffing van die fonds vir die volle heffingsjaar betaalbaar en daarna is geen verdere heffing betaalbaar nie.

(4) In die geval van 'n pensioenfonds wat kragtens artikel 2(2) van die Wet op Pensioenfondse, 1956, van die bepalings, behalwe artikels 3 en 4(1) en (2), van daardie Wet vrygestel is, word die berekening van die hefting in subitem (1) bedoel, gebaseer op die getal lede en ander persone in daardie subitem bedoel wat Suid-Afrikaanse burgers is, en woonagtig is in die Republiek, soos daardie getal blyk uit die jongste statistieke wat by die betrokke Registrateur ingevalge enige wet ingedien is en op 30 Junie van die heffingsjaar by die Raad geliasseer is. Waar die Registrateur die aanstelling van 'n likwidateur van 'n fonds gedurende die heffingsjaar goedkeur, is die hefting van die fonds vir die volle heffingsjaar betaalbaar en daarna is geen verdere hefting betaalbaar nie.

(5) Die heffings bedoel in subitem (1), wat betaalbaar is deur In pensioenfonds bedoel in -

(a) subitem (2) en (4), moet nie later nie as 31 Oktober van die heffingsjaar betaal word; en

(b) subitem (3), moet, vir sover dit die voorlopige betaling betref, nie later nie as 30 Julie van die heffingsjaar en die balans binne 30 dae na die datum van die finale faktuur betaal word.

Hefting vir die Pensioenfondsberogter

4. Ten opsigte van 'n pensioenfonds wat ingevolge die Wet op Pensioenfondse, 1956, geregistreeer of voorlopig geregistreeer is, insluitende 'n uittredingsannulteriteitsfonds soos omskryf in artikel 1 van die Inkomstebelastingwet, 1962, is die hefting vir die Pensioenfondsberogter In bedrag van R2,65 per lid van sodanige fonds en elke persoon wat gereeld periodieke betalings uit sodanige fonds ontvang. Hierdie hefting kan saam met die hefting bedoel in item 3(1), waar toepaslik, betaal word, en is betaalbaar op die datum bepaal in item 3(5).

Hefting op uittredingsannulteriteitsfondse

5. (1) Ten opsigte van 'n uittredingsannulteriteitsfonds bedoel in item 3(1), is die hefting 'n bedrag van R753,24 (R886,16 verminder met 'n heftingskorting van R132,92) plus 'n bykomende bedrag gelyk aan 0,004897% (0,0066% verminder met 'n heftingskorting van 0,001703%) van die waarde van die fonds se bates. Waar die Registrateur die aanstelling van 'n likwidateur van 'n fonds gedurende die heffingsjaar goedkeur, is die hefting van die fonds vir die volle heffingsjaar betaalbaar, en daarna is geen verdere hefting betaalbaar nie. Die waarde van die bates van 'n uittredingsannulteriteitsfonds is by die toepassing van hierdie subitem -
 - (a) in die geval van 'n fonds 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, die waarde van daardie bates van die fonds bepaal by die waardering daarvan deur die versekeraar met die DOg op die bepaling van sy verpligtinge wat deur item 8(2)(b) uitgesluit word van die omskrywing van "verpligtinge", asook enige ander bates deur die fonds gehou om sy verpligtinge ten opsigte van sy lede na te kern: en
 - (b) 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 Goewermentskennisgewing No. R. 98 van 26 Januarie 1962, vrygestel is, die waarde van daardie bates van die fonds bepaal by die waardering daarvan deur die versekeraar met die oog op die bepaling van sy

verpligtinge wat deur item 8(2)(b) uitgesluit word van die omskrywing van "verpligtinge".

- (2) Die berekening van die waarde van die bates van 'n uittredingsannuïteitsfonds 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), wat betaalbaar is deur 'n uittredingsannuïteitsfonds bedoel in-
 - (a) subitem (1)(a), moet nie later nie as 31 Oktober van die heffingsjaar betaal word; en
 - (b) subitem (1)(b), moet, vir sakes van hierdie voorlopige betaling betref, nie later nie as 30 Julie van die heffingsjaar en die balans binne 30 dae na die datum van die finale faktuur betaal word.

Heffing op onderlinge hulpverenigings

6. Vanaf 1 April 2006, word 'n onderlinge hulpvereniging wat ingevolge artikel 3(2)(a) van die Wet op Onderlinge Hulpverenigings, 1956 (Wet No. 25 van 1956), geregistreer of voorlopig geregistreer is, vrygestel van die betaling van heffings.

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 om korttermynversekeringsbesigheid te dryf, word die heffing gebaseer op beraamde bruto premie-inkomste, insluitend enige rabatte, vir die versekeraar se boekjaar wat eindig gedurende die periode van 1 Julie tot 31 Maart van die huidige heffingsjaar of wat eindig gedurende die periode van 1 April tot 30 Junie van die volgende heffingsjaar, aangesuiwer na die einde van sy boekjaar in ooreenstemming met sy werklike geouditeerde bruto premie-inkomste, insluitend enige rabatte. Ongeag die lengte van die finansiële periode van die versekeraar, is die heffing 'n bedrag gelyk aan 0,107% van die eerste R60 miljoen bruto premie-inkomste, insluitend enige rabatte, plus 0,0247% daarna, of R10 700,

watter totale bedrag ookal die grootste is. Die koers van krag aan die einde van die finansiële periode van die versekeraar *sal* van toepassing wees vir die hele periode wat op daardie datum eindig:

Met dien verstande dat, onderhewig aan subitem (3), die hefting in hierdie subitem met 'n heffingskorting van 0,004739% van die werklike geouditeerde bruto premie-inkomste, insluitend enige rabatte, van 'n korttermynversekeraar wat ingevolge die Korttermynversekeringswet, 1998, geregistreer was of geag geregistreer te gewees het op enige dag van die heffingsjaar wat die vorige heffingsjaar voorafgaan, vir die versekeraar se boekjaar wat gedurende die periode van 1 Julie tot 31 Maart van die heffingsjaar wat die vorige heffingsjaar voorafgaan geëindig het of wat gedurende die periode van 1 April tot 30 Junie van die vorige heffingsjaar geëindig het verminder sal word.

- (2) Ten opsigte van 'n persoon aangestel ingevolge artikel 57(1) van die Korttermynversekeringswet, 1998, word die hefting 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 5005 in die Jaarverslag van die Registrateur *van* Korttermynversekeringswese gepubliseer. Die hefting is 'n bedrag gelyk aan 0,107% van die eerste R60 miljoen bruto premie-inkomste plus 0,0247% daarna, of R12 700, watter totale bedrag ookal die grootste is:

Met dien verstande dat, onderhewig aan subitem (3), die hefting in hierdie subitem met 'n heffingskorting van 0,004739% van die werklike geouditeerde bruto premie-inkomste van 'n persoon aangestel ingevolge artikel 57(1) van die Korttermynversekeringswet, 1998, wat ten behoeve van onderskrywers van Lloyd's in die Republiek vir die kalenderjaar wat die vorige heffingsjaar voerafgaan ontvang was 5005 in die Jaarverslag van die Registrateur van Korttermynversekeringswese gepubliseer verminder sal word.

- (3) In Korttermynversekeraar wat ingevolge die Korttermynversekeringswet, 1998, geregistreer is of geag geregistreer te wees op enige dag van die heffingsjaar, moet die volle heffings in subitem (1) bedoel, betaal.
- (4) Die hefting op beraamde premie-inkomste word betaal in twee paaiemente voor of op

30 Julie en 31 Oktober van die heffingsjaar. Die aansuiwering bedoel in subitem (1) word gekombineer met die eerste of tweede betaling na die einde van 'n versekeraar se boekjaar en die heffingskorting in die voorbehoudsbepaling tot subitem (1) word gekombineer met die tweede betaling na die einde van 'n versekeraar se boekjaar. In die geval van Lloyd's word die aansuiwering bedoel in subitem (2) en die heffingskorting in die voorbehoudsbepaling tot subitem (2) gekombineer met die Oktober betaling.

Hefting op langtermynversekeraars

8. (1) Ten opsigte van 'n langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998 (Wet No. 52 van 1998), geregistreer is of geag geregistreer te wees en gemagtig is om -

- (a) een of meer as een ongeskiktheidspolis, fondspolis, gesondheidspolis, lewenspolis of amortisasiepolis of een of meer van daardie polisse en 'n bystandspolis af te sluit, is die hefting 'n bedrag van R37 000 plus 0,00660/0 van die verpligtinge ingevolge onafgeloste langtermynpolisse; of
- (b) alleenlik 'n bystandspolis af te sluit, is die hefting 'n bedrag van R3 700 plus 0,0066% van die verpligtinge ingevolge onafgeloste langtermynpolisse:

Met dien verstande dat, onderhewig aan subitem (3), die hefting -

- (i) in paragraaf (a) met 'n heffingskorting van R3700 ten opsigte van 'n langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998, geregistreer was of geag geregistreer te gewees het op 1 April van die vorige heffingsjaar, of R1 850 indien 'n langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998, tussen 1 April en 1 Oktober van die vorige heffingsjaar geregistreer was of geag geregistreer te gewees het, plus 0,0017030/0 van die verpligtinge ingevolge onafgeloste langtermynpolisse soos bepaal aan die einde van die langtermynversekeraar se boekjaar wat geëindig het in die kalenderjaar wat die vorige heffingsjaar voorafgaan verminder sal word;

- (ii) in paragraaf (b) met 'n heffingskorting van R370 ten opsigte van In langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998, geregistreer was of geag geregistreer te gewees het op 1 April van die vorige heffingsjaar, of R185 indien In langtermynversekeraar wat ingevolge die Langtermynversekeringswet, 1998, tussen 1 April en 1 Oktober van die vorige heffingsjaar geregistreer was of geag geregistreer te gewees het, plus 0,001703% van die verpligtinge ingevolge onafgeloste langtermynpolisse 5005 bepaal aan die einde van die langtermynversekeraar se boekjaar wat geëindig het in die kalenderjaar wat die vorige heffingsjaar voorafgaan verminder sal word.
- (2) Die uitdrukking "verpligtinge ingevolge onafgeloste langtermynpolisse" in subitem (1)(a) en (b) -
- (a) beteken die verpligtinge 5005 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 bruto verpligtinge kragtens onafgeloste polisse gereflekteer teen die item "Gross policy liabilities" in kolom 9 van Staat C9 van die Langtermynopgawe (Vorm LT2006), of beteken, indien die langtermynversekeraar geen boekjaar wat in die kalenderjaar wat die heffingsjaar voorafgaan ten einde geloop het, gehad het nie, die bruto verpligtinge 5005 aangedui aan die einde van die versekeraar se boekjaar wat in die kalenderjaar wat die vorige heffingsjaar voorafgaan, ten einde geloop het;
- (b) sluit nie die verpligtinge in nie ingevolge In kontrak ingevolge waarvan In langtermynversekeraar, in ruil vir In premie, onderneem om polisvoordele te verskaf vir die doel van die volle of gedeeltelike befondsing van die verpligting van In onderlinge hulpvereniging soos omskryf in artikel 1 van die Wet op Onderlinge Hulpverenigings, 1956, of In 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 In kontrak wat uitsluitlik betrekking het op In bepaalde lid van 'n onderlinge hulpvereniging of In pensioenfondsorganisasie, of op die oorlewende gade, kinders, afhanklikes of benoemdes van In bepaalde lid van die 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, meet die volle heffings in subitem (1)(a) en (b) bedoel, eoreenkomstig subitem (4) betaal: of
 - (b) na 1 April maar nie na 1 Oktober van die heffingsjaar nie, moet die helfte van die heffings in subitem (1)(a) en (b) bedoel, in een bedrag betaal as die enigste betaling, voor of op 31 Oktober van die heffingsjaar.
- (4) Die heffings in subitem (3)(a) bedeel moet in twee paaielemente betaal word, naamlik -
- (a) 50% van die hefting, uitgesluit die heffingskorting in die voorbehoudsbepaling tot subitem (1), of, sou die werklike bedrag nie beskikbaar wees nie, 'n redelike skatting van sodanige hefting gebaseer op 'n redelike beraming van die waarde van die verpligtinge in subitem (2) bedoel, voer of op 30 Julie van die heffingsjaar; en
 - (b) die balans van die hefting, ingesluit die heffingskorting in die voorbehoudsbepaling tot subitem (1), veer of op 31 Oktober van die heffingsjaar; en
 - (c) indien die paaielement gebaseer is op 'n skatting soos in subitem (4)(a) bedoel, moet 'n regstelling in ooreenstemming met die werklike waarde van die verpligtinge in subitem (2) bedoel, gekombineer word met die volgende heftingspaaielement nadat sodanige werklike waarde vasgestel en aan die Raad verskaf is.

Hefting op tussengangers

9. (1) Ten opsigte van 'n agent, makelaar of ander persoon bedoel in artikel 45 van die Korttermynversekeringswet, 1998, is die hefting 'n bedrag gelyk aan 0,011% van die totale brute premies waaroor verslag gedoen is deur 'n ouditeur of rekenkundige beampte, na gelang van die geval, ingevolge 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 R81, watter totale bedrag ookal die grootste is.

- (2) Die hefting bedoel in subitem (1), moet nie later nie as 30 November van die heffingsjaar betaal word en word gebaseer op die totale bruto premies op 30 September van elke heffingsjaar soos verskaf deur die Suid-Afrikaanse Versekerings-vereniging, onderhewig aan 'n maksimum van R196 363 700.

Hefting op kollektiewe beleggingskemas in effekte

10. (1) Ten opsigte van kollektiewe beleggingskemas in effekte, soos bedoel in die Wet op Beheer van Kollektiewe Beleggingskemas, 2002 (Wet No. 45 van 2002), is die hefting 'n totale bedrag van R5 698 560, plus enige bedrag betaalbaar ingevolge subitem (10)(2), vir al sodanige skemas geadministreer deur 'n bestuurder wat kragtens artikel 42 van genoemde Wet te eniger tyd gedurende die heftingsjaar geregistreer is, verminder met 'n totale heffingskorting van R1 531 042 wat die heffing betaalbaar op R4 167 518 te staan bring, plus enige bedrag betaalbaar ingevolge subitem 10(2). Die bedrag is betaalbaar in vier kwartaallikse paaiemente op of voor 30 Julie 2007, 30 September 2007, 31 Desember 2007 en 31 Maart 2008. 50% van die heffingskorting word afgetrek van die hefting betaalbaar ten opsigte van die kwartaal wat op 30 September 2007 eindig en 50% ten opsigte van die kwartaal wat op 31 Desember 2007 eindig. Die kwartaallikse bedrae word betaal op die grondslag van statistiek soos aan die einde van die voorafgaande kwartaal en word verdeel tussen alle bestuurders wat op daardie dag geregistreer is. Die berekening van verskuldigde heftings is soos volg:

- (a) 10% in gelyke mate verdeel tussen alle bestuurders;
- (b) 60% verdeel ooreenkomstig die aantal portefeuljes deur elke bestuurder geadministreer; en
- (c) 30% verdeel in verhouding tot die totale bates deur elke bestuurder geadministreer:

- (2) Indien 'n bestuurder nie 'n lid is van die Association of Collective Investments, sal die bedrae betaalbaar ingevolge subitems 1(a), (b) en (c) verdubbel word.

Heffing op buitelandse kollektiewe beleggingskemas

11. (1) Ten opsigte van buitelandse kollektiewe beleggingskemas goedgekeur ingevolge artikel 65 van die Wet op Beheer van Kollektiewe Beleggingskemas, 2002, is die heffing in vier kwartaallikse paaiemente betaalbaar en elke paaiement bestaan uit -

- (a) 'n bedrag van R3 670 ten opsigte van elke skema; plus
- (b) 'n bedrag van R1 990 ten opsigte van elke portefeulje, fonds of subskema; plus
- (c) 0,000190% van die netto bates onder bestuur namens Suid-Afrikaanse beleggers:

insluitende 'n totale heftingskorting van R1 288 352, toegedeel in verheuding tot die heffing betaalbaar deur elke skema gedurende die heftingsjaar. 50% van die heftingskorting word afgetrek van die heffing betaalbaar deur elke skema ten opsigte van die kwartaal wat op 30 September 2007 eindig en 50% ten opsigte van die kwartaal wat op 31 Desember 2007 eindig.

- (2) Indien 'n goedgekeurde buitelandse kollektiewe beleggingskema nie 'n geassosieerde lid van die Association of Collective Investments bedoel in item (1) is nie, sal die bedrae betaalbaar ingevolge subitems (1)(a), (b) en (c) verdubbel word.
- (3) Die heffing is betaalbaar in vier kwartaallikse bedrae op of voor 30 Julie 2007, 30 September 2007, 31 Desember 2007 en 31 Maart 2008. Die bedrag word bereken op die grondslag van statistieke 5005 aan die einde van die voorafgaande kwartaal, welke statistieke binne 30 dae na sodanige kwartaaleinde aan die betrokke Registrateur voorsien moet word.
- (4) By die toepassing van subitem (2), moet die statistiek wat aan die betrokke Registrateur voorsien word, besonderhede bevat van aile verkope en aflossings of terugkope binne Suid-Afrika.
- (5) Heffings is ten opsigte van aile maande binne enige betrokke kwartaal betaalbaar.

Hefting op kollektiewe beleggingskemas in eiendom

12. (1) Ten opsigte van 'n bestuurder van 'n kollektiewe beleggingskema in eiendom, soos bedoel in die Wet op Beheer van Kollektiewe Beleggingskemas, 2002, is die heffing 'n bedrag van R48 506 op elke portefeulje, insluitende 'n heffingskorting van R13 032 ten opsigte van elke effektegroep, wat die heffing betaalbaar ten opsigte van elke portefeulje op R35 474 te staan bring.
- (2) Die heffing bedoel in subitem (1) moet nie later nie as 30 Julie van die heffingsjaar betaal word.

Hefting op kollektiewe beleggingskemas in deelnemingsverbande

13. (1) Ten opsigte van 'n bestuurder wat 'n kollektiewe beleggingskema in deelnemingsverbande administreer en wat ingevolge artikel 53 van die Wet op Beheer van Kollektiewe Beleggingskemas, 2002, geregistreer is, is die heffing 'n bedrag van R4770, plus 'n bedrag wat bereken word deur die totale bedrag verskuldig deur verbandgewers op 31 Desember 2006 te vermenigvuldig met die syfer 0,00995%. Van die totale heffing wat bereken is ten opsigte van alle bestuurders van deelnemingsverbandskemas word 'n totale heffingskorting van R102 413 pro rata afgetrek van die heffing wat deur elke bestuurder betaalbaar is.
- (2) Die heffing bedoel in subitem (1) moet nie later nie as 30 Julie van die heffingsjaar betaal word.

Heffing op beurse

14. (1) Ten opsigte van JSE Beperk, 'n beurs wat ingevolge artikel 10 van die Wet op Sekuriteitsdienste, 2004 (Wet No. 36 van 2004), gelisensieer is, is die heffing 'n bedrag van R4 495 200.
- (2) Ten opsigte van die Effektebeurs van Suid-Afrika, wat ingevolge artikel 10 van die Wet op Sekuriteitsdienste, 2004 (Wet No. 36 van 2004), gelisensieer is, is die heffing 'n bedrag van R1 746 700.
- (3) Die heffings bedoel in subitems (1) en (2) moet nie later nie as 30 Julie van die heffingsjaar betaal word.

Heffing op gemagtigde verskaffers van finansiële dienste

15. (1) Behoudens subitem (5), moet 'n persoon wat gemagtig is ingevolge artikel 8 van die Wet op Finansiële Advies- en Tussengangerdienste, 2002 (Wet No. 37 van 2002), as 'n Kategorie I verskaffer van finansiële dienste soos omskryf in die Determination of Fit and Proper Requirements for Financial Services Providers, 2006, uitgesonderd enige sodanige verskaffer wat ook 'n Kategorie II of III verskaffer bedoel in subitem (3) of enige sodanige Kategorie I verskaffer bedoel in subitem (4) is, die heffing bedoel in subitem (2) voor of op 30 November van die heffingsjaar betaal.

(2) Die heffing, wat onderworpe is aan 'n maksimum van R800 000, word soos volg bereken:

- (a) 'n basisbedrag van R1 725, en
- (b) $A \times R307$,

waar-

$A =$ die totale getal sleutelpersone van die verskaffer van finansiële dienste goedgekeur deur die Registrateur plus die totale getal verteenwoordigers aangestel deur die verskaffer van finansiële dienste, soos op 30 September van die heffingsjaar.

(3) Behoudens subitem (5), moet 'n persoon wat gemagtig is ingevolge artikel 8 van die Wet op Finansiële Advies- en Tussengangerdienste, 2002 (Wet No. 37 van 2002), as 'n Kategorie II of III verskaffer van finansiële dienste soos omskryf in die Determination of Fit and Proper Requirements for Financial Services Providers, 2006, voor of op 30 November van die heffingsjaar 'n heffing betaal wat onderworpe is aan 'n maksimum van RaDO 000 en wat soos volg bereken word:

- (a) 'n basisbedrag van R3 950; en
- (b) $A \times R307$; en
- (c) $B \times 0,000010727$

waar-

A = die totale getal sleutelpersone van die verskaffer van finansiële dienste goedgekeur deur die Registrateur plus die totale getal verteenwoordigers aangestel deur die verskaffer van finansiële dienste, soos op 30 September van die heffingsjaar; en

B = die totale waarde van beleggings bestuur namens kliente ingevolge die magtiging as In verskaffer van finansiële dienste op 30 Junie van die heffingsjaar: Met dien verstande dat beleggings onder bestuur wat in buitelandse valuta gehou word, ingesluit moet word teen die wisselkoers wat op daardie datum in die Pers gepubliseer is.

- (4) Behoudens subitem (5), moet 'n persoon wat ingevolge artikel 8 van die Wet op Finansiële Advies-en Tussengangerdienste, 2002 (Wet 37 van 2002), as 'n Kategorie I verskaffer van finansiële dienste gemagtig is soos beoog in subitem (1), en wat slegs finansiële dienste lewer ten opsigte van finansiële produkte wat behoort aan Langtermyn Versekering Kategorie A 5005 bedoel in sub kategorie (1) in Kolom Een van Tabel A in paragraaf 3(1) van die Determination of Fit and Proper Requirements for Financial Services Providers, 2006, voor of op 30 November van die heffingsjaar 'n hefting betaal van R1 725.
- (5) Meervoudige gemagtigde verskaffers van finansiële dienste wat deel vorm van dieselfde regsenteit is gesamentlik en afsonderlik aanspreeklik vir betaling van 'n enkele hefting bedoel in subitem (2), (3) of (4), na gelang van die geval. Vir die doel van sodanige betaling, word die sleutelpersone en die verteenwoordigers van sodanige gemagtigde verskaffers van finansiële dienste geag sleutelpersone en verteenwoordigers van een gemagtigde verskaffer van finansiële dienste te wees.

Heffing vir Befondsing van Kantoor van Ombud vir Verskaffers van Finansiële Dienste

16. (1) Behoudens subitem (3), moet 'n persoon wat gemagtig is ingevolge artikel 8 van die Wet op Finansiële Advies- en Tussengangerdienste, 2002, as 'n Kategorie I, II of III verskaffer van finansiële dienste soos omskryf in die Determination of Fit and Proper Requirements for Financial Services Providers, 2006, bedoel in item 15(1), die hefting bedoel in subitem (2) voor of op 30 November van die heffingsjaar betaal.
- (2) Die hefting, wat onderworpe is aan 'n maksimum van R120 000, word soos volg bereken:

- (a) 'n basisbedrag van R440, en
- (b) AxR165,

waar-

A = die totale getal sleutelpersone van die verskaffer van finansiele dienste goedgekeur deur die Registrateur, plus die totale getal verteenwoordigers aangestel deur die verskaffer van finansiele dienste, sods op 30 September van die heffingsjaar.

- (3) Meervoudige gemagtigde verskaffers van finansiele dienste wat deel vorm van dieselfde regsenteit is gesamentlik en afsonderlik aanspreeklik vir betaling van 'n enkele heffing bedoel in subitem (2). Vir die doel van sodanige betaling, word die sleutelpersone en die verteenwoordigers van sodanige gemagtigde verskaffers van finansiele dienste geag sleutelpersone en verteenwoordigers van een gemagtigde verskaffer van finansiele dienste te wees.

Heffing op sentrale effektebewaarnemers

- 17. (1) Ten opsigte van Strate Beperk, 'n sentrale effektebewaarnemer, gelisensieer ingevolge artikel 32 van die Wet op Sekuriteitedienste, 2004 (Wet No. 36 van 2004), is die heffing in bedrag van R1 210 200.
- (2) Die heffing bedoel in subitem (1) moet nie later nie as 30 Julie van die heffingsjaar betaal word.

Heffing op finansiele markte ten opsigte van markmisbruik

- 18. (1) Die heffing vir die betaling van die koste verbonde aan die uitvoering van die werksaamhede van die Raad en van die Direktoraat op Markmisbruik ingevolge die Wet op Sekuriteitedienste, 2004 (Wet No. 36 van 2004), word betaal deur die beurse gelisensieer ingevolge artikel 12 van die Wet op Sekuriteitsdiense, 2004, naamlik JSE Beperk en die Effektebeurs van Suid-Afrika. Die totale heffing vir die heffingsjaar beloop R7 400 000.
- (2) Die totale heffing word bereken en betaal op die volgende basis:

- (a) JSE Beperk betaal voer of op 30 Julie van die heffingsjaar 20%, dit wil se R1 480 000, van die totale heffing.
 - (b) Die Effektebeurs van Suid-Afrika betaal voor of op 30 Julie van die heffingsjaar 100%, dit wil se R740 000, van die totale heffing.
 - (c) Die balans van die totale heffing, naamlik R5 180 000, word in vier paaiemente kwartaalliks betaal op 'n gebruiker-betaal basis deur die beurse waar markmisbruik ondersoek gedurende die voorafgaande kwartaal uitgeveer is. Die paaiemente is betaalbaar voer of op 30 Julie, 30 September, 31 Desember en 31 Maart van die heffingsjaar.
- (3) Bykomend by die totale heffing in subitem (1) bedoel, is die regskoste wat werklik deur die Raad aangegaan is ten opsigte van markmisbruik gedingvoering kwartaalliks agterna betaalbaar deur die relevante beurs.

ALGEMEEN

Betaling van heffings

19. (1) Die heffings en rente (as daar is) daarop in hierdie Kennisgewing bedoel, is behoudens die bepaling van hierdie Kennisgewing, deur die betrokke finansiële instelling aan die Raad betaalbaar deur middel van 'n tjek, posorder, geldwissel, of 'n geldoordrag.
- (2) Rente sal gehef word op alle uitstaande rekeninge teen die gekwoteerde prima oortrekkingskoers van Standard Bank van Suid-Afrika Beperk.

Aansoek om vrystelling

20. (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 ooreenkomstig 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, indien verleen, in werking moet tree en moet volledig die redes vir die aansoek 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) In 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) in sy aansoek om vrystelling verstrek het.

Gekonsolideerde betalings

21. 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 kategorie en die liggaam, kan die Raad so 'n aanbod aanvaar indien die betaling gemaak word ooreenkomstig die bepalinge 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 hefting deur hom verskuldig plus rente (as daar is) op daardie bedrag bereken ooreenkomstig item 19(2).

Intrekking van kennisgewings en voorbehoud

22. (1) Raadskennisgewing 51 van 30 May 2006 word, behoudens subitem (2), ingetrek.

(2) Indien op die datum van inwerkingtreding van hierdie Kennisgewing enige finansiële instelling nag nie 'n hefting en rente verskuldig daarop, 5005 opgele ingevolge 'n bepaling van 'n kennisgewing in subitem (1) vermeld, ten volle betaal het nie, word

enige sodanige bepaling, tesame met enige ander bepaling van sodanige kennisgewing wat verband hou met eersbedoelde bepaling, geag ten opsigte van die betrokke instelling en die betrokke verskuldigde bedrag nag nie deur subitem (1) ingetrek te wees nie totdat sodanige skuld ten volle vereffen is.
