



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 564

Pretoria, 21 June
Junie 2012

No. 35459

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BOARD NOTICES

BOARD NOTICE 107 OF 2012 FINANCIAL SERVICES BOARD

FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002 (ACT NO. 37 OF 2002)

EXEMPTION OF THE PHARMACEUTICAL SOCIETY OF SOUTH AFRICA

I, German Emmanuel Anderson, Deputy Registrar of Financial Services Providers, hereby exempt under section 44(4) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), the Pharmaceutical Society of South Africa to the extent and subject to the conditions set out in the Schedule.



G E Anderson,
Registrar of Financial Services Providers

SCHEDULE

EXEMPTION OF THE PHARMACEUTICAL SOCIETY OF SOUTH AFRICA

Definitions

1. In this Schedule, "the Act" means the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), any word or expression to which a meaning is assigned in the Act shall have that meaning, and unless the context otherwise indicates-

"**clients**", in relation to the Pharmaceutical Society, means its members as defined in the Constitution of the Pharmaceutical Society;

"**financial product**" means a professional indemnity insurance policy underwritten by an insurer registered under the Short-term Insurance Act;

"**the Pharmaceutical Society**" means the Pharmaceutical Society of South Africa;

"**the Short-term Insurance Act**" means the Short-term Insurance Act, No. 53 of 1998.

Extent of exemption and condition

3. (1) The Pharmaceutical Society is exempted from section 7(1) of the Act when rendering intermediary services to or on behalf of its members in respect of a financial product, subject to the conditions that it must-

- (a) at all times comply with section 45 of the Short-term Insurance Act; and
 - (b) advise immediately the Registrar of any change to the particulars furnished in its exemption application.
- (2) This Exemption shall, subject to paragraph 4, be valid for a period of 5 years from the date referred to in paragraph 5.

Amendment and withdrawal of exemption and conditions

4. This Exemption or conditions mentioned in paragraph 3 are subject to-
- (a) amendment thereof published by the registrar by notice in the *Gazette*; and
 - (b) withdrawal in like manner.

Short title and commencement

5. This Exemption is called the Exemption of the Pharmaceutical Society of South Africa, 2012, and comes into operation on the date of publication in the *Gazette*.

BOARD NOTICE 108 OF 2012**FINANCIAL SERVICES BOARD****FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002
(ACT NO. 37 OF 2002)****EXEMPTION OF ROTHSCHILD (SOUTH AFRICA) IN RESPECT OF CERTAIN CLIENTS**

I, German Emmanuel Anderson, Deputy Registrar of Financial Services Providers, hereby exempt under section 44(4) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), Rothschild (South Africa) Pty Ltd, to the extent and subject to the conditions set out in the Schedule.

**G E ANDERSON**

Deputy Registrar of Financial Services Providers

SCHEDULE**EXEMPTION OF ROTHSCHILD (SOUTH AFRICA) IN RESPECT OF CERTAIN CLIENTS****Definitions**

1 In this Schedule, "the Act" means the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), any word or expression to which a meaning is assigned in the Act shall have that meaning, and unless the context otherwise indicates-

"bank", means a 'branch', 'branch of a bank', 'mutual bank' or 'representative office' as defined in section 1(1) of the Banks Act, 1994 (Act No. 94 of 1994);

"client", in relation to Rothschild (South Africa), means-

- (a) a bank;
- (b) a financial services provider who is registered, licensed, recognised, approved or otherwise authorised by-
 - (i) the Registrar of Long-term Insurance to conduct long-term insurance business;
 - (ii) the Registrar of Short-term Insurance to conduct short-term insurance business;
- (c) a person outside the Republic who-
 - (i) as a regular feature of the person's business, renders a service similar to a 'financial service' as defined in section 1(1) of the Act; and

- (ii) is registered, licensed, recognised, approved or otherwise authorised to conduct the business of a bank or a business referred to in paragraph (b) by a foreign regulator, with functions similar to those of the Registrar of Banks or a Registrar referred to in the said paragraph;
- (d) a central bank or other national monetary authority of any country, state or territory;
- (e) any person who is mandated to manage assets and who has confirmed to the satisfaction of Rothschild (South Africa) that the market value of the assets managed by the person will exceed R1 billion at all times of the rendering of financial services to the person;
- (f) any other person included in the definition of 'client' in section 1(1) of the Act, who has confirmed to the satisfaction of Rothschild (South Africa) that the person will have assets of which the net asset value will exceed R20 million at all times of the rendering of financial services to the person, and who is not—
 - (i) a natural person;
 - (ii) a pension fund organisation as defined in section 1(1) of the Pension Funds Act, 1956 (Act No. 24 of 1956);
 - (iii) a friendly society referred to in the Friendly Societies Act, 1956 (Act No. 25 of 1956);
 - (iv) a medical scheme as defined in section 1(1) of the Medical Schemes Act, 1998 (Act No. 131 of 1998);

“Rothschild (South Africa)” means Rothschild (South Africa) Pty Ltd, who renders a financial service to a client as a regular feature of its business and belongs to 'Category I' as defined in paragraph 1(1) of Part I of the Determination of Fit and Proper Requirements for Financial Services Providers, 2008, published by Board Notice No. 106 of 2008 in Gazette No. 31514 of 15 October 2008.

Extent of exemption and condition

- 2 Rothschild (South Africa) is exempted until 1 March 2013 from section 7(1) of the FAIS Act, subject to the conditions that it must-
- (a) maintain suitable guarantees, professional indemnity or fidelity insurance cover, quarterly approved by the Registrar; and
 - (b) prior to the rendering of any financial services to a client, informs the client, that it is exempted from the Act.

Amendment and withdrawal of exemption and conditions

- 3 The exemption and conditions mentioned in paragraph 3 are subject to-
- (a) amendment thereof published by the registrar by notice in the *Gazette*; and
 - (b) withdrawal in like manner.

Short title and commencement

- 4 This Exemption is called the Exemption of Rothschild (South Africa) in respect of Certain Clients, 2012, and comes into operation on the date of publication in the *Gazette*.

BOARD NOTICE 109 OF 2012
FINANCIAL SERVICES BOARD
FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002

**EXEMPTION OF PARTICULAR PERSONS FROM QUALIFICATION REQUIREMENTS,
2012**

I, German Emmanuel Anderson, Deputy Registrar of Financial Services Providers, hereby exempt under section 44(4) of the Financial Advisory and Intermediary Services Act, 2002, particular persons from provisions of the Act and certain measures promulgated thereunder, to the extent set out in the Schedule.



G E ANDERSON
Deputy Registrar of Financial Services Providers

SCHEDULE

**EXEMPTION OF PARTICULAR PERSONS FROM QUALIFICATION
REQUIREMENTS, 2012**

Definitions

1. In this Schedule, "the Act" means the Financial Advisory and Intermediary Services Act, 2002, any word or expression to which a meaning is assigned in the Act shall have that meaning, and unless the context otherwise indicates-

"Determination of Fit and Proper Requirements" means the Determination of Fit and Proper Requirements for Financial Services Providers, 2008.

"qualification requirements" means the applicable-

- (a) qualification requirement referred to in Column Two of Table E of the Determination of Fit and Proper Requirements; or
- (b) requirement to complete a qualification from the list of recognised qualifications.

Extent, duration and conditions of Exemption

2. The applicants for exemption referred to in Table A are exempted from the Transitional Provisions in paragraph 10 of the Determination of Fit and Proper Requirements insofar it relates to the qualification requirements, subject to the condition that the applicants must comply with the qualification requirements by 31 January 2013.

TABLE A	
APPLICANT	
Giyani Thomas Baloyi	Hlengiwe Nester Mkhwanazi
Thembukaya Boo	Fikile Edmund Mkobeni
Thembelihle Faith Cele	Sibusiso Andy Mlondo
Duane Heather Daniels	Adopt Aurelia Mnisi
Mbongiseni David Dhlamini	Ananias Matome Modike

Michael Nca Dhlomo	Mamotshidisi Doreen Moerane
Happiness Rosetta Dlamini	Mmapule Margaret Mogale
Nomusa Nokuthula Dlamini	Sannah Mamereki Mogwane
Simphiwe Dlamini	Suzan Mojaki
Sipho Simon Faas	Jabulani Msiza
Loyiso Gidwa	Khulekani Maxwell Mthethwa
Mthokozisi Victor Gwabeni	Nomsa Mandisa Mtshaulana
Nonyameko Gwexe	Elias Mtshweni
Randy Rubin Henry	Mafanato Claudia Mukhomi
Norman Neo Kgetsi	Themba Winston Mwelase
Johannes Herman Kgoloane	Zamekile Ndamase
Naledzani Jeannet Khangale	Philix Themba Ndhlozi
Mongezi Moekse Kheswa	Sipho Mathew Ndlovu
Thembinkosi Ephraim Khomo	Nompumelelo Cynthia Ndlovu
Thulile Zama Cleopatra Khumalo	Gugu Nomusa Zibuyisile Ndlovu
Fikile Princess Khuzwayo	Bongeka Nokhanyo Ndum-Ndum
Molemoeng Consolation Kwate	Edward Thamsanqa Ngcongo
Eleonore Le Roux	Nomhle Clyite Ngcuzana
Kasa Elizabeth Lekitlane	Msawenkosi Enock Ngidi
Letta Fikile Letsoko	Nyeleti Graemmar Ngobeni
Ntebogeng Criselda Letwaba	Luyanda Thacente Emmanuel Ngonyama
Louisa Nomangwane Lugogo	Andiswa Millicent Ngoxozo
Lena Margaret Linky Maaga	Siyabonga Net Sipho Nkosi
Florence Kelebiloe Madikela	Simangele Sarah Nkosi
Lindiwe Minah Magome	Zukisani Nopulula
Mfaniseni Richard Mahlangu	Mzimasi Theophyllas Nqeketo
Hlamalani Norah Mahlaule	Emly Thandi Ntshana
Cyprian Mbongiseni Makhotho	Bhekithemba Jacob Ntshangase
Ngaletsane Winny Makomoto	Mapule Olga Ntuli
Thabo Malinga	Mduduzi Siyabulela Nxumalo
Mihloti Daisy Maluleke	Thembinkosi Vusumuzi Nyawo
Siyabulela Shadwell Mampofu	Nkosinathi Emmanuel Nyawo
Bonakele Clementina Manana	Grace Pinky Nzama
Thandinkosi Nelson Mangqishi	Grace Nontuthuzelo Peter
Kate Elsie Maredi	Moses Moxe Pudikabekwa
Franklin Rudolph Marquard	Sibongile Ziyanda Pumane
Kabelo Ernest Maruping	Bonakele Lydia Radebe
Thembinkosi Derick Mashele	Tshinyalani Eric Ramalamula
Ngwanamanare Dinah Mashilo	Reuben Ogopoleng Ratuludi
Dorah Morongwa Mataboge	Thoko Irene Rodrigues
Manthekeleng Reginah Matemotsa	Motlalepule Happy Sealogo
Gloriah Mmamoeti Mathabe	Salphy Lerato Sebola
Tebogo Godfrey Mathutha	Seadimo Anna Veronicca Sebusi
Nosipho Matikinca	Masai Johannes Sejeng
Lejeka Jack Matjila	Christian Zakhele Shabalala
Vuyelwa Princess Matroos	Glory Constance Shabangu
Livhuwani Eric Matumba	Elizabeth Rakie Shai
Mzoli Shaun Mbudwana	Zandile Patricia Shazi
Sibusiso Khulu Mbuyazi	Evidence Makhosi Shobede
Thuthuka Mchunu	Nogolide Portia Sikobi
Bizeni Sylvia Mchunu	Nonkululeko Priscilla Singapi
Cynthia Mchunu	Grace Nocwaka Skodana
Mbulelo Charles Mdolomba	Cerial Siseko Sofute
Ruphas Rodney Mgiba	Dennis Sipho Tanda
Jabulile Mgoduka	Malusi Grant Thango
Nkosinathi Exsen Mhlongo	Esau Themba
Khomotso Olgar Mokhonwana	Mokone Joseph Tshabalala

Mary Mokoena	Takalani Magdeline Tshiangwana
Refuoe Regina Moloji	Thuso Lindiwe Tshiembe
Sophy Ntombi Molokomme	Matseleng Margaret Tsiri
Boitumelo Monnakgotla	Thandi Annah Tsoka
Boitshoko Patience Monnakgotla	Lizle Alicai Van Reenen
Sithethile Mphenya	Dolores Elizabeth Van Turha
Ntombomzi Mirriam Mpikheleli	Coltus Phathokwakhe Xaba
Buyisile Gloria Mseleku	Mpandlana Robert Xulu
Senzo Paulos Msibi	Thandiwe Elizabeth Zibi
Yolokazi Buyelwa Mjila	Ntombizanele Zulu
Fezeka Caroline Mkhanyiswa	Mhlalisem Zakhele Zwane

Amendment and withdrawal of Exemption

3. This Exemption is subject to-
- (a) amendment thereof published by the registrar by notice in the *Gazette*; and
 - (b) withdrawal in like manner.

Short title and commencement

4. This Exemption is called the Exemption of Particular Persons from Qualification Requirements, No 4 of 2012, and comes into operation on the date of publication in the *Gazette*.
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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
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