



2003-06-19

TO ALL BANKS, BRANCHES OF FOREIGN BANKS AND MUTUAL BANKS

BANKS ACT CIRCULAR 9/2003

PROPOSED AMENDMENT TO LEGISLATION: DESIGNATION OF AN ACTIVITY NOT FALLING WITHIN THE MEANING OF “THE BUSINESS OF A BANK” – SECURITISATION SCHEMES, INCLUDING TRADITIONAL SECURITISATION SCHEMES AND SYNTHETIC SECURITISATION SCHEMES

1. INTRODUCTION

In Banks Act Circular 5/2003, published on 12 March 2003, comments on the first draft of proposed amendments to Government Notice No. 1375 (“the securitisation notice”), published in *Government Gazette* No. 22948 dated 13 December 2001, were requested.

A number of comprehensive and constructive comments were received and duly considered. This Office wishes to express its appreciation to all participants for their contributions to date.

2. ISSUE OF PROPOSED AMENDED SECURITISATION NOTICE

As a result of the process referred to above, this Office wishes to draw your attention to the publication of the second draft of the proposed amended securitisation notice, currently available at the South African Reserve Bank's Website, at <http://www.reservebank.co.za/>, under Bank Supervision, South African banking legislation, Proposed amendments to legislation.

Comments on the second draft of the proposed amended securitisation notice should reach this Office by no later than 31 July 2003.

3. ACKNOWLEDGEMENT OF RECEIPT

Two additional copies of this circular are enclosed for the use of your institution's independent auditors. The attached acknowledgement of receipt, duly completed and

signed by both the chief executive officer of the institution and the said auditors, should be returned to this Office at the earliest convenience of the aforementioned signatories.

C F Wiese
Registrar of Banks

The previous circular issued was Banks Act Circular 8/2003 dated 22 April 2003.