



South African Reserve Bank

From the Office of
the Registrar of Banks

C1/2013

2013-01-10

To banks, branches of foreign institutions, controlling companies, eligible institutions and auditors of banks or controlling companies

Circular 1/2013 issued in terms of section 6(4) of the Banks Act, 1990:

Status of previously issued circulars

Executive Summary

In order to ensure that banks (including branches of foreign institutions), controlling companies, eligible institutions and auditors of a bank or controlling company are in no doubt as to which previously issued circulars remain effective, this Office will annually confirm their status.

Addressees should note that contrary to the process whereby the status of circulars are annually confirmed, directives issued in terms of section 6(6) of the Banks Act, 1990 (Act No. 94 of 1990 – the Banks Act), remain effective until such time that they are cancelled in writing by the Registrar of Banks (the Registrar) in terms of section 6(6)(c) of the Banks Act.

1. Introduction

- 1.1 All previously issued circulars are deemed to be withdrawn/terminated/replaced except if such a circular is to remain effective and is then accordingly published in Circular 1 of that year. The circulars that remain effective will retain their original numbers and dates.

2. Effective Circulars

The circulars listed below remain effective. Accordingly, banks, controlling companies, eligible institutions and auditors of a bank or controlling company are hereby requested to retain a copy of these circulars.

	<u>Circular</u>	<u>Brief Details</u>
2.1	Banks Act Circular 2/2010	Interpretation of definition of default as outlined in regulation 65 of the Regulations relating to Banks
2.2	Banks Act Circular 4/2010	Basel Committee report to the G20: Comprehensive response to the international financial crisis
2.3	Banks Act Circular 5/2010	Interpretation and application of criteria relating to the granularity for retail exposures
2.4	Banks Act Circular 6/2010	Interpretation and application of criteria relating to exposures secured by residential mortgage bonds
2.5	Banks Act Circular 2/2011	Eligible credit assessment institutions approved by the Registrar of Banks
2.6	Banks Act Circular 3/2011	The use of mapping tables
2.7	Banks Act Circular 5/2011	Disclosure of capital related information
2.8	Banks Act Circular 3/2012	Electronic communication with the Office of the Registrar of Banks: Basel III implementation

3. Effective Directives

Section 6(6)(a) of the Banks Act prescribes that this Office may, after consultation with the relevant bank, controlling company, eligible institution or auditor of a bank or controlling company, issue a directive to such a bank, controlling company, eligible institution or auditor of a bank or controlling company, either individually or collectively, regarding the application of the Banks Act.

This Office issued a number of directives in terms section 6(6)(a) of the Banks Act. It is hereby confirmed that all such issued directives will remain effective until such time as they are cancelled in writing by the Registrar in terms of section 6(6)(c) of the Banks Act.

	<u>Directive</u>	<u>Brief Details</u>
3.1	Directive 1/2008	Use of divisional names
3.2	Directive 2/2008	Procedure to be followed in respect of applications in terms of the provisions of sections 37, 52 and/or 54 of the Banks Act, 1990

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| 3.3 | Directive 3/2008 | Appointment of directors or executive officers and completion of Form BA020 |
| 3.4 | Directive 4/2008 | Disclosure of repurchase and resale agreements and similar transactions |
| 3.5 | Directive 5/2008 | Composition of board-appointed committee to approve large exposures |
| 3.6 | Directive 6/2008 | Auditor rotation |
| 3.7 | Directive 7/2008 | Mapping of the international scale rating symbols of Fitch Ratings and Moody's Investors Service to the prescribed risk weights available in terms of regulation 23 of the Regulations relating to banks |
| 3.8 | Directive 3/2009 | Limit in respect of effective net open foreign-currency position, and matters related to the unencumbered assets to be held by branches of foreign institutions |
| 3.9 | Directive 1/2011 | Matters relating to securitisation vehicles |
| 3.10 | Directive 2/2011 | Reporting daily value-at-risk amounts for market risk using specified items of the form BA 325 |
| 3.11 | Directive 3/2011 | Investments and loans and advances by controlling companies: Section 50 of the Banks Act, 1990 |
| 3.12 | Directive 4/2011 | Matters related to capital floors |
| 3.13 | Directive 5/2011 | Exemption from certain minimum disclosure requirements pertaining to branches of foreign institutions |
| 3.14 | Directive 1/2012 | Information to be included in applications in terms of the Securitisation Notice – Designation of an activity not falling within the meaning of “the business of a bank” (Securitisation Notice) |
| 3.15 | Directive 3/2012 | Transitional arrangements related to capital requirements for over-the-counter derivatives that are not transacted through a central counterparty |

4. Cancelled Directive

Section 6(6)(c) of the Banks Act prescribes that this Office may, after consultation with the relevant bank, controlling company, eligible institution or auditor of a bank or controlling company, subject to the directive, cancel in writing a previously issued directive.

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| 4.1 | Directive 2/2012 | Matters related to the form BA 200 of the 'Amended Regulations relating to Banks' |
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5. Acknowledgement of Receipt

- 5.1 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 and the said auditors, must be returned to this Office at the earliest convenience of the aforementioned signatories.



René van Wyk
Registrar of Banks

The previous circular issued was Banks Act Circular 3/2012, dated 29 March 2012.