

DECLARATION IN RESPECT OF STATUTORY RETURNS SUBMITTED

BA 099

(To accompany all relevant statutory returns submitted in terms of the Regulations)

Name of bank/controlling company

Period ended.....(yyyy-mm-dd)

A. DECLARATION IN RESPECT OF RETURNS

We, the undersigned, hereby declare as follows in respect of each of the relevant statutory statements and returns (identified and rendered in the manner indicated in the space provided for such purposes in part C of this form) submitted herewith in respect of the period indicated above:

1. GENERAL

- (i) The information contained in the statements and returns is to the best of our knowledge and belief correct;
- (ii) the statements and returns have been compiled in accordance with the relevant provisions of the Regulations; and
- (iii) the statements and returns reflect the management accounts presented to the management and Board of Directors of the bank, as required in regulation 2 of the Regulations.

2. FORM BA 130

This bank has at all times during the reporting period complied with the relevant provisions and requirements specified in sections 76 and 77 of the Banks Act, 1990 (No. 94 of 1990) (Act).

3. FORM BA 300

This bank/controlling company has to date complied with and will continue to comply with-

- (i) the relevant requirements specified in regulation 26(12) in respect of the bank/controlling company's liquidity coverage ratio; and
- (ii) the relevant requirements specified in regulation 26(14) in respect of the bank/controlling company's net stable funding ratio.

(When the bank/controlling company has failed to comply with any relevant requirement, the declaration shall be qualified and a statement indicating the relevant details of the failure to comply shall accompany this return.)

4. FORM BA 310

- (i) None of the liquid assets included in items 16 to 23 of the form BA 310 have been pledged or otherwise encumbered, as envisaged in section 72(3) of the Act, without the consent of the Authority.
- (ii) All securities included under the liquid assets envisaged in paragraph (i) have been valued in accordance with the provisions of section 72(4) of the Act.
- (iii) This bank has, from the 15th business day of the month following the month for which the preceding return of form BA 310 was submitted to date, maintained, and will continue to maintain, for every day until the 14th business day of the month following the month to which this return relates, the prescribed average daily minimum reserve balance with the Reserve Bank, as required in terms of section 10A of the South African Reserve Bank Act 90 of 1989, and the prescribed average daily minimum amount of liquid assets, as prescribed in regulation 27(3), and complies/will comply, as from the 15th business day of the month following the month to which this return relates, with the aforesaid prescribed minimum requirements on the basis of its prescribed amount of liabilities during the reporting month. (When the bank has failed to comply with the prescribed requirements, the declaration shall be qualified, and a statement showing the relevant deficiency(ies), for every day on which a deficiency existed, shall accompany this return.)

5. FORM BA 325

This bank has not exceeded the limit on its effective net open position(s) in foreign currency, as prescribed in regulation 29(3). (When the bank has exceeded the prescribed limit, the declaration shall be qualified and a statement showing the relevant excess(es), for every day on which an excess existed, shall accompany this return.)

6. FORM BA 700

This bank has, from the 20th business day of the month following the month for which the preceding return of form BA 700 was submitted to date, maintained, and will continue to maintain, for every day until the 19th business day of the month following the month to which this return relates, the relevant prescribed minimum aggregate amount of-

- (i) allocated qualifying common equity tier 1 capital and reserve funds, additional tier 1 capital and reserve funds and tier 2 capital and reserve funds relating to risks other than market risk; and
- (ii) allocated qualifying common equity tier 1 capital and reserve funds, additional tier 1 capital and reserve funds and tier 2 capital and reserve funds relating to market risk.

This bank complies/will comply, as from the 20th business day of the month following the month to which this return relates, with the aforesaid relevant requirements relating to the maintenance of the prescribed minimum aggregate

amounts of-

- (i) allocated qualifying common equity tier 1 capital and reserve funds, additional tier 1 capital and reserve funds and tier 2 capital and reserve funds relating to risks other than market risk; and
- (ii) allocated qualifying common equity tier 1 capital and reserve funds, additional tier 1 capital and reserve funds and tier 2 capital and reserve funds relating to market risk.

(When the bank has failed to comply with the relevant prescribed requirements, the declaration shall be qualified, and a statement showing the relevant deficiency/deficiencies, for every day on which a deficiency existed, shall accompany this return.)

B. DECLARATION IN RESPECT OF RELATED MATTERS

We, the undersigned, hereby declare as follows-

1. INVESTMENTS BY CONTROLLING COMPANIES* (*Delete when not relevant)

The abovementioned controlling company has at all times during the reporting period complied with the provisions of section 50 of the Act.

2. FINANCIAL INTELLIGENCE CENTRE, 2001 (ACT NO. 38 OF 2001)

This bank/controlling company has to date complied with and will continue to comply with-

- (i) any relevant requirement contained in the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001) (FICA), as amended; and
- (ii) any relevant requirement contained in the Regulations that may be issued from time to time in terms of the aforesaid Act.

(When the bank/controlling company has failed to comply with any relevant requirement, the declaration shall be qualified and a statement indicating the relevant details of the failure to comply shall accompany this return.)

C. FORMS SUBMITTED

The following statement(s) and return(s) are submitted herewith:

Form number	Title/description	In the event of a query, the Reserve Bank may contact-		
		Name	Tel no.	Ext
BA 100	Balance sheet			
BA 110	Off-balance-sheet activities			
BA 120	Income statement			
BA 125	Return regarding shareholders			
BA 130	Restriction on investments, loans and advances			
BA 200	Credit risk: monthly return			
BA 210	Credit risk: quarterly return			
BA 220	Credit risk: six-monthly return			
BA 300	Liquidity risk			
BA 310	Minimum reserve balance and liquid assets			
BA 320	Market risk			
BA 325	Daily return: selected risk exposure			
BA 330	Interest-rate risk: banking book			
BA 340	Equity risk in the banking book			
BA 350	Derivative instruments			
BA 400	Operational risk: six-monthly return			
BA 410	Operational risk: quarterly return			
BA 420	Operational risk: quarterly return			
BA 500	Securitisation schemes			
BA 600	Consolidated return			
BA 610	Foreign operations of South African banks			
BA 700	Capital adequacy and leverage			
BA 701	Regulatory vs Economic capital			
BA 900	Institutional and maturity breakdown of liabilities and assets			
BA 920	Analysis of instalment sale transactions, leasing transactions and selected assets			
BA 930	Interest rates on deposits, loans and advances			
BA 940	Selected locational banking statistics			
Other	Please specify			

D. ATTESTATION OF FORM BA 099

1. CERTIFICATION BY OFFICIALS RESPONSIBLE FOR EACH RELEVANT RISK

RISK	RESPONSIBLE OFFICIAL	SIGNATURE	DATE
Balance sheet			
Income statement			
Solvency			
Liquidity			
Counterparty			
Interest rate			
Market (position)			
Credit			
Technological			
Operational			
Any other risk regarded as material (please specify)			

2. CERTIFICATION BY CHIEF EXECUTIVE OFFICER, CHIEF ACCOUNTING OFFICER AND EXECUTIVE OFFICER (FICA)

Signed at, this day of (yyyy-mm)

.....
Chief Executive Officer*

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Chief Accounting Officer*

.....
Executive Officer: FICA*

*Please note: When the Chief Executive Officer, Chief Accounting Officer or Executive Officer (FICA) is not available to sign a completed form BA 099, the officer performing the relevant function shall sign said form in an acting capacity and not on behalf of the absent officer, and the normal office of the officer so acting shall clearly be stated.