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## GOVERNMENT NOTICES

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### SOUTH AFRICAN RESERVE BANK

No. R. 1007

5 October 2001

MUTUAL BANKS ACT, 1993 (ACT NO. 124 OF 1993)

#### **MINIMUM CAPITAL AND RESERVE FUNDS TO BE MAINTAINED BY MUTUAL BANKS**

Under section 48 of the Mutual Banks Act, 1993 (Act No. 124 of 1993), I, Christo Floris Wiese, Registrar of Banks, hereby determine, with the approval of the Minister of Finance, that the percentage for purposes of the calculation of the minimum capital and reserve funds required to be maintained by mutual banks shall with effect from 1 October 2001 be 10 per cent.

**C F WIESE**  
Registrar of Banks

No. R. 1008

5 October 2001

**MUTUAL BANKS ACT, 1993 (ACT NO. 124 OF 1993)**

**AMENDMENT OF REGULATIONS**

The Minister of Finance has under section 91 of the Mutual Banks Act, 1993 (Act No. 124 of 1993), made the regulations contained in the Schedule.

## SCHEDULE

### Definitions

1. In this Schedule, "the Regulations" means the Regulations relating to Mutual Banks, published under Government Notice No. R. 2508, in *Government Gazette* No. 15381 on 28 December 1993, as amended.

### Substitution of form DI 100

2. Form DI 100 as set forth in Annexure A to this notice is hereby substituted for the form DI 100 immediately preceding the form DI 110 of the Regulations.

### Substitution of form DI 110

3. Form DI 110 as set forth in Annexure B to this notice is hereby substituted for the form DI 110 immediately preceding regulation 19 of the Regulations.

### Substitution of form DI 400

4. Form DI 400 as set forth in Annexure C to this notice is hereby substituted for the form DI 400 immediately preceding regulation 23 of the Regulations.

### Amendment of regulation 23 of the Regulations

5. Regulation 23 of the Regulations is hereby amended by the substitution of the following paragraph for paragraph (b) of subregulation 4 titled "(4). *Minimum share capital and unimpaired reserve funds*"

"(b) The percentage, contemplated in section 48(2)(b) of the Act, of the amount of a mutual bank's assets and other risk exposures (as adjusted through the application of the prescribed risk weightings), and which is to be used, as contemplated in that section, to calculate the minimum share capital and unimpaired reserve funds that the mutual bank is required to maintain in terms of that section shall be a minimum of 8 per cent, or such a higher percentage as may be determined by the Registrar in consultation with the Governor of the S A Reserve Bank, to be inserted in line item 12 in Division I of form DI 400 for the purpose of the calculation of the minimum amount of share capital and unimpaired reserve funds that the reporting mutual bank is required to maintain."

6. **Date of commencement**

These Regulations shall come into operation on 1 October 2001.

ANNEXURE A

DI 100							
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Monthly\*

Name of mutual bank .....  
 Month ended\* ..... (yyyy-mm-dd)

Country.....

(All amounts to be rounded off to the nearest R'000)

Line no.	Liabilities at month-end*				Daily average balance for month*	Cost of funds (annualised) %
	Short-term 1	Medium-term 2	Long-term 3	Total 4		
<b>CAPITAL AND LIABILITIES</b>						
<b>FUNDING-RELATED LIABILITIES TO THE PUBLIC</b>						
1						
	Interbank funding - repayable in S A rand (total of items 2 and 3).....					
2						
	Intragroup bank funding.....					
3						
	Interbank funding.....					
4						
	Non-bank funding - repayable in S A rand (total of items 5 to 8).....					
5						
	Demand.....					
6						
	Savings deposits.....					
7						
	Fixed and notice deposits.....					
8						
	Negotiable certificates of deposit (NCDs) issued.....					
9						
	Foreign funding - repayable in foreign currency (total of items 10 and 11).....					
10						
	- Banks.....					
11						
	- Non-banks.....					
12						
	Loans received under repurchase agreements (total of items 13 and 14).....					
13						
	- Banks.....					
14						
	- Non-banks.....					
15						
	Other funding liabilities - (including balances due to the S A Reserve Bank).....					
16						
	<b>TOTAL FUNDING-RELATED LIABILITIES TO THE PUBLIC (total of items 1, 4, 9, 12 and 15).....</b>					

\* Quarterly where applicable

(All amounts to be rounded off to the nearest R'000)

CAPITAL AND LIABILITIES	Line no.	Liabilities at month-end*			Daily average balance for month*	Cost of funds (annualised) %			
		Short-term	Medium-term	Long-term					
		1	2	3					
						4	5	6	
<b>CAPITAL AND OTHER LIABILITIES</b>									
Acknowledgements of debt endorsed and rediscounted, but still outstanding on behalf of clients <i>per contra</i> , refer item 69: (total of items 18 to 21).....	17								
- Acceptances outstanding .....	18								
- Commercial paper .....	19								
- Bills .....	20								
- Promissory notes and similar acknowledgements of debt .....	21								
<b>Other liabilities and trade creditors, including impairments and tax liabilities .....</b>	22								
<b>Capital and reserves (total of items 31 to 33).....</b>	23								
Primary - equity .....	24								
- reserves .....	25								
Secondary - equity .....	26								
- reserves .....	27								
- debt instruments .....	28								
Qualifying capital and reserves (total of items 24 to 28).....	29								
Less: Impairments (section 48(5) of the Act).....	30								
Net qualifying capital and reserves (item 29 less item 30).....	31								
Profit not formally appropriated by board resolution (DI 200, item 66).....	32								
Non-qualifying capital and reserves, including revaluations and other reserves and debt instruments not qualifying as secondary share capital and unimpaired reserves.....	33								
<b>TOTAL LIABILITIES (total of items 16, 17, 22 and 23).....</b>	34								

\* Quarterly where applicable

(All amounts to be rounded off to the nearest R'000)

Line no.	ASSETS	Month-end balance*	Daily average for month*	Annualised gross yield (pre-tax for month)	Risk profile of assets in terms of % weighting							Impairments
					0%	5%	10%	20%	50%	100%	150%	
35	Money (total of items 36 to 38) .....	1	2	3	4	5	6	7	8	9	10	11
36	Legal tender in RSA .....											
37	Gold coin and bullion and non-RSA currency (cash) holdings .....											
38	Deposits with the S A Reserve Bank.....											
39	Loans and advances (item 52 less item 53) .....											
40	Interbank (including intragroup) .....											
41	Negotiable certificates of deposit (NCDs).....											
42	Instalment debtors, suspensive sales and leases .....											
43	Mortgage loans .....											
44	Credit card debtors less related unearned finance charges .....											
45	Acknowledgements of debt discounted, e.g. acceptances, com. paper, bills, prom. notes .....											
46	Redeemable preference shares held to provide credit.....											
47	Overdrafts and loans .....											
48	Foreign currency loans and advances (repayable in foreign currency) .....											
49	Loans granted under resale agreements (total of items 50 and 51).....											
50	- Banks .....											
51	- Non-banks .....											
52	Total loans and advances (total of items 40 to 49).....											
53	Less: Specific provisions .....											
54	Trading portfolio after mark-to-market adjustments (total of items 55 to 57).....											
55	Interest bearing.....											
56	Equities .....											
57	Other .....											

Quarterly where applicable



(All amounts to be rounded off to the nearest R'000)

Line no.	ASSETS	Month-end balance*	Daily average for month*	Annualised gross yield (pre-tax for month)	Risk profile of assets in terms of % weighting							Impairments
					0%	5%	10%	20%	50%	100%	150%	
58	Investment portfolio (total of items 59 to 61 less item 62)	1	2	3	4	5	6	7	8	9	10	11
59	Interest bearing											
60	Listed equities and bank-related investments											
61	Other (including unlisted equities)											
62	Less: Specific provisions											
63	Total of trading and investment portfolios (total of items 54 and 58)											
64	Fixed assets (total of items 65 to 68)											
65	Premises of bank <sup>(1)</sup>											
66	Other fixed property <sup>(1)</sup>											
67	Computer equipment, including peripherals, at net book values <sup>(1)</sup>											
68	Items other than 65 to 67, including vehicles, furniture and fittings, all at net book values <sup>(1)</sup>											
69	Clients' liabilities for acknowledgements of debt outstanding, per contra, refer item 17: (total of items 70 to 73)											
70	- Acceptances outstanding											
71	- Commercial paper endorsed											
72	- Bills endorsed											
73	- Promissory notes and similar acknowledgements of debt endorsed											
74	Other assets (including remittances in transit and properties in possession)											
75	Deferred tax											
76	TOTAL ASSETS (total of items 35, 39, 63, 64, 69, 74 and 75)											

\* Quarterly where applicable  
 (1) Capitalised leases in accordance with GAAP to be included

ANNEXURE B

DI 110										
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OFF-BALANCE-SHEET ACTIVITIES  
 (Confidential and not available for inspection by the public)  
 Name of mutual bank .....  
 Month ended\* ..... (yyyy-mm-dd)  
 Country .....

(All amounts to be rounded off to the nearest R'000)

Line no.	OFF-BALANCE-SHEET ACTIVITIES	Month-end balance*	Max. level recorded during month	Risk profile of off-balance-sheet activities in terms of percentage weighting							Impairments		
				0%	5%	10%	20%	50%	100%	150%			
1	Indemnities and guarantees.....												
2	Irrevocable letters of credit .....												
3	Unutilized facilities .....												
4	Underwriting exposures .....												
5	Other contingent liabilities.....												
6	Effective net open position in foreign currencies.....												
7	Portfolios managed:												
	- By others on behalf of the reporting institution.....												
	- For others where financing is provided.....												
9	Committed capital expenditure .....												
10	Total of revaluation surplus per regulation 14 not reflected on form DI 100 .....												
11	TOTAL (of items 1 to 10) .....												

NOTE: The directives and interpretations for completion of the quarterly return concerning capital adequacy (form DI 400) shall apply when completing this return.

\* Quarterly where applicable

**ANNEXURE C**

DI 400							
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Quarterly

Country .....

**CAPITAL ADEQUACY**

(Confidential and not available for inspection by the public)

Name of mutual bank .....

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

(All amounts to be rounded off to the nearest R'000)

Line no.	Risk-weighting categories									Total	
	0%	1	2	3	4	5	6	7	8		
<b>DIVISION I. CALCULATION OF REQUIRED MINIMUM SHARE CAPITAL AND UNIMPAIRED RESERVE FUNDS</b>											
1	Quarterly average assets per balance sheet, excluding impairments (form DI 100 - item 76) (refer regulation 23(1)(b))										
2	Quarterly average off-balance-sheet activities (form DI 110 - item 11) (refer regulation 23(1)(b))										
3	Subtotal (total of items 1 and 2)										
4	Reductions i.r.o. transactions guaranteed or secured by pledge of assets or deposits										
5	Reallocation of transactions guaranteed or secured by pledge of assets or deposits.										
6	Subtotal after reallocation and deductions (item 4 minus item 5 - column 9 must be equal to zero)										
7	Total (item 3 plus item 6)										
8	Risk weightings										
9	Total multiplied by risk weighting										
10	Capital ratio										10%
11	Required minimum share capital and unimpaired reserve funds before phase in										
12	Phase-in percentage i.t.o. regulation 23(4)(b)										%
13	<b>REQUIRED MINIMUM SHARE CAPITAL AND UNIMPAIRED RESERVE FUNDS</b>										

DIVISION II. CALCULATION OF QUALIFYING AND NON-QUALIFYING ISSUED SHARE CAPITAL AND UNIMPAIRED RESERVE FUNDS AT END OF QUARTER	Line no.	Total
		1
Total issued primary share capital and unimpaired reserve funds (total of items 15 and 18).....	14	
Issued primary share capital (total of items 16 and 17) .....	15	
- Ordinary shares .....	16	
- Non-redeemable non-cumulative preference shares .....	17	
Primary unimpaired reserve funds <sup>(a)</sup> (total of items 19 to 22).....	18	
- Share premium .....	19	
- Accumulated profits .....	20	
- Surplus on realization of capital assets .....	21	
- Other general or special reserves (total of items 23 to 27).....	22	
(Specify).....	23	
.....	24	
.....	25	
.....	26	
.....	27	
Total issued secondary share capital and reserve funds (total of items 29 and 32).....	28	
Issued secondary share capital (total of items 30 and 31).....	29	
- Cumulative preference shares .....	30	
- Debt instruments issued i.t.o. regulation 23(5) .....	31	
Secondary unimpaired reserve funds <sup>(a)</sup> (total of items 33 to 35).....	32	
- Fifty per cent of revaluation surpluses .....	33	
- General debt provisions .....	34	
- Undisclosed reserves <sup>(a)</sup> .....	35	
Qualifying issued secondary share capital and secondary unimpaired reserve funds (may not exceed item 14 above) .....	36	
Total qualifying issued share capital and unimpaired reserve funds (total of items 14 and 36).....	37	
Less: Impairments i.t.o. section 48(5) of the Act (brought forward from line item 7, col 8).....	38	
NET QUALIFYING ISSUED SHARE CAPITAL AND UNIMPAIRED RESERVE FUNDS .....	39	
Non-qualifying issued share capital and reserves (item 28 less item 36 plus fifty per cent of revaluation surpluses)	40	
<b>DIVISION III. CALCULATION OF EXCESS/(DEFICIENCY) IN ISSUED SHARE CAPITAL AND UNIMPAIRED RESERVE FUNDS</b>		
Net qualifying issued share capital and unimpaired reserve funds (item 39 of Division II) .....	41	
Required issued share capital and unimpaired reserve funds calculated in last preceding return (item 13 of Division I).....	42	
Excess(deficiency) (item 41 less item 42).....	43	
<b>DIVISION IV. CAPITAL ADEQUACY: RISK-ASSET RATIO</b>		
(Amount reported in line item 39 of Division II, divided by the amount reported in column 9 of line item 9 in Division I, expressed as a percentage to two decimal places).....	44	%
<b>DIVISION V. UNREALISED PROFIT/(LOSS) ON INVESTMENT PORTFOLIO (Market value less book value) ....</b>		
(Form DI 420, item 8 minus item 7, column 7).....	45	

(a) Not to include any balance on the income statement not yet transferred to a reserve by formal resolution by the board of directors.

No. R. 1009

5 October 2001

**MUTUAL BANKS ACT, 1993 (ACT NO. 124 OF 1993)****AMENDMENT OF REGULATIONS**

The Minister of Finance has under section 91 of the Mutual Banks Act, 1993 (Act No. 124 of 1993), made the regulations contained in the Schedule.

**SCHEDULE****Definitions**

1. In this Schedule, "the Regulations" means the Regulations relating to Mutual Banks, published under Government Notice No. R. 2508, in *Government Gazette* No. 15381 on 28 December 1993, as amended.

**Substitution of form DI 310**

2. Form DI 310 as set forth in Annexure A to this notice is hereby substituted for the form DI 310 immediately preceding regulation 22 of the Regulations.

3. **Date of commencement**

These amended Regulations shall apply in respect of the reporting periods of August 2001 and onwards.

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ANNEXURE A

**MINIMUM RESERVE BALANCE AND LIQUID ASSETS**

DI 310						
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(Confidential and not available for inspection by the public)

Monthly

Name of mutual bank .....

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

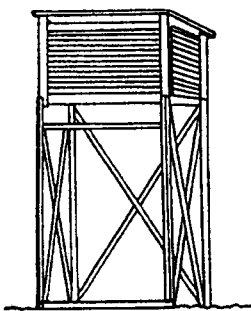
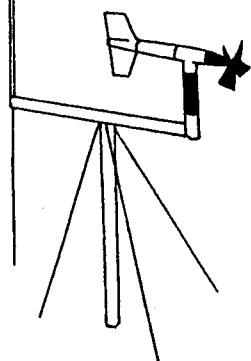
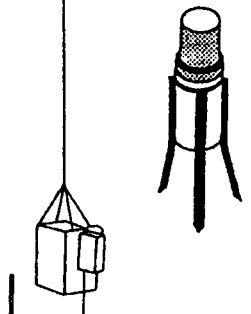
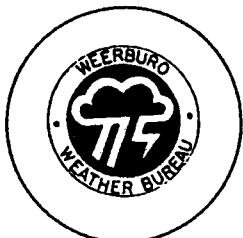
Country .....

(All amounts to be rounded off to the nearest R'000)

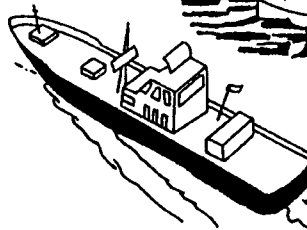
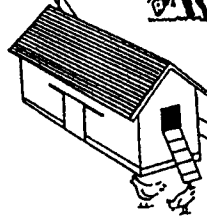
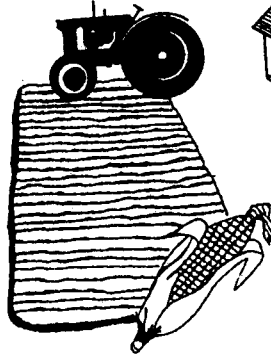
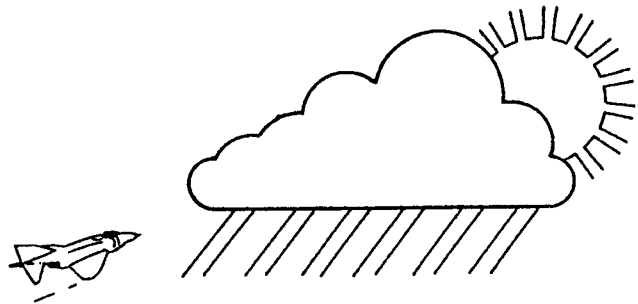
	Line no.	Total Liabilities	Transactions with banks/mutual banks <sup>1</sup>
		1	2
Capital and liabilities as per line item 34, column 4, of form DI 100 .....	1		
Less: Capital and reserves as per line item 23, column 4, of form DI 100 .....	2		
Liabilities, as adjusted (line item 1 less line item 2).....	3		
Less: - Repurchase agreements with a term of 31 days and shorter with Government securities, Treasury bills, Land Bank bills and Reserve Bank securities as underlying security .....	4		
- Amounts owing by banks and mutual banks (excluding repurchase agreements) .....	5		
Liabilities, as reduced (item 3 less item 4 to 5) .....	6		
Average daily minimum reserve balance to be held as from fifteenth business day of the month following on the month to which this return relates			
- percentage requirement.....	7	2,5 %	
- rand requirement .....	8		
Less: Average amount of S A Reserve Bank notes and subsidiary coin held during the reporting month** .....	9		Phase-out percentage <sup>2</sup>
Average daily minimum reserve balance to be held with the S A Reserve Bank as from fifteenth business day of the month following on the month to which this return relates (line item 8 less item 9).....	10		
Liquid assets required to be held as from fifteenth business day of the month following on the month to which this return relates at 5 per cent of line item 3, column 1 .....	11		
Average daily amount of liquid assets held up to fourteenth business day of the month following on the month to which this return relates (total of line items 13 to 19) – section 1 of the Mutual Banks Act, 1993 .....	12		
S A Reserve Bank notes and coin held during preceding month (excluding such notes or coin taken into account, opposite line item 9, in the calculation of the minimum reserve balance).....	13		of which: acquired under resale agreements
Gold coin and bullion .....	14		
Clearing account balances held with the S A Reserve Bank .....	15		
Treasury bills of the Republic.....	16		
Securities issued by virtue of section 66 of the Public Finance Management Act, 1999, to fund the Central Government .....	17		
Securities of the S A Reserve Bank .....	18		
Short-term bills issued by the Land Bank.....	19		
<b>Memorandum items:</b>			
Adjustment in respect of cash-management schemes – regulation 18.....	20		
Adjustment in respect of set-off – regulation 15 .....	21		
Average daily amount of all liquid assets acquired under resale agreements .....	22		
Average daily amount of all liquid assets sold under repurchase agreements.....	23		
Total vault cash.....	24		
Less: **Vault cash utilised as per line item 9 (may not exceed line item 8) .....	25		
Excess vault cash utilised as per line item 13 (line item 24 less line item 25) .....	26		
Hash total .....	27		

Note: 1 Report under column 2 the portion of total liabilities (column 1) that is in respect of transactions with banks/mutual banks.  
 2 Relates to the percentages published under Government Notice No. R 849, in Government Gazette No. 22651 on 5 September 2001.

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