



MEDIA STATEMENT

Proposed amendments to the Financial Services Laws General Amendment Bill, 2013

The National Treasury (“NT”) on Monday, 7 October 2013, submitted to Parliament’s Standing Committee on Finance (“the Committee”) its proposed final set of amendments to the Financial Services Laws General Amendment Bill, 2013 (“the Bill”). The submission is for the consideration of the Committee when it meets later this month for what is expected to be its final round of deliberations on the Bill.

The Bill addresses urgent issues in eleven financial sector laws, including legislative gaps highlighted after the 2008 financial crisis and to align these laws with the new Companies Act, 2008 and other legislation. The Bill seeks to:

- close gaps identified by the Financial Sector Assessment Program conducted by the IMF and World Bank regarding South Africa’s adherence to international standards for financial regulation;
- align financial sector legislation with the new Companies Act, 2008;
- eliminate overlaps caused by the Consumer Protection Act, 2008; Companies Act, 2008; and Competition Commission Act, 2009; and
- make the Financial Services Board (“FSB”) the lead regulator where there is concurrent jurisdiction.

The proposed revisions to the Bill as it was originally tabled in Parliament take into account concerns and proposals arising from the submissions received during the public hearings on the Bill, as well as inputs from meetings with stakeholders and members of the Committee during hearings and workshops of the Committee in Parliament.

The set of proposals contained in the latest version of the Bill (**Annexure A**) do not introduce any new material changes. The proposed changes provide technical clarity on provisions contained in the Bill.

The following documents are now available on the NT (www.treasury.gov.za) and FSB (www.fsb.co.za) websites:

- latest proposed NT amendments to the Bill (**Annexure A**),
- a summary of how the revised proposed amendments published today respond to amendments proposed to the Committee meeting on 18 June 2013, including any new issues arising after the meeting (**Annexure B**);
- a folder titled “18 June 2013 Report Back” containing all documents provided to the Committee by the NT in the June 2013 report back meeting;
- a folder titled “Public Hearing Submissions” containing all public submissions received during the public hearings; and
- a folder titled “Previous versions of the Bill” containing the Bill as was published for public comment in March 2012, as well as the September 2013 tabled Bill.

The Bill was first released for public comment on 9 March 2012. A total of 33 submissions were received during the first public comment process which ended on 2 May 2013. As part of its consultation process, the NT also held information sessions with key stakeholders.

A revised Bill was tabled thereafter in the National Assembly of Parliament on 25 September 2012. The first briefing to the Standing Committee of Finance in the National Assembly took place on 14 November 2012. This was followed by two workshops with members of the Committee in March 2013.

Public hearings on the Bill were held on 22 and 23 April. National Treasury presented its responses to the public submissions to Parliament on 18 June 2013, as well as initial proposed amendments to the Bill as part of its report back on the Bill.

Issued by: National Treasury
Date: 8 October 2013