

DECLARATION IN RESPECT OF STATUTORY RETURNS SUBMITTED BY FOREIGN OPERATIONS

BA 099A							
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(To accompany all statutory returns submitted by the above institutions in terms of the Regulations relating to Banks)

Name of foreign operation.....

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

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; and
- (ii) the statements and returns have been compiled in accordance with the relevant provisions of these Regulations or, when relevant, the rules and regulations of the relevant host supervisor; and
- (iii) the statements and returns reflect the relevant management accounts presented to the management and board of directors of the relevant bank/ operation.

2. FORM BA 610: LIQUIDITY RISK

This bank/operation 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/operation's Liquidity Coverage Ratio (LCR);
- (ii) the relevant requirements specified in regulation 26(14) in respect of the bank/operation's Net Stable Funding Ratio (NSFR).

(When the bank/operation 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.)

3. FORM BA 610: CAPITAL AND RESERVE FUNDS

The issued common equity tier 1 capital and reserve funds, additional tier 1 capital and reserve funds and tier 2 capital and reserve funds of the abovementioned bank/ operation have on (date) been reduced by the relevant amounts of items prescribed in regulation 38(5) as deductions against the aforesaid categories of capital and reserve funds.

Furthermore, this bank/operation has from the twentieth business day of the month following the quarter for which the preceding return of form BA 610 was submitted to date maintained, and will continue to maintain, for every day until the nineteenth business day of the month following the quarter 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, or
- (iii) capital and reserve funds specified by the relevant host supervisor, should the latter be higher,

and complies/will comply, as from the twentieth business day of the month following the quarter 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/ operation failed to comply with the relevant 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.)

B. DECLARATION IN RESPECT OF RELATED MATTERS

We, the undersigned, hereby declare as follows:

1. ANTI-MONEY LAUNDERING AND COMBATING THE FINANCING OF TERRORISM LEGISLATION

This bank/operation has to date complied with and will continue to comply with any relevant requirement contained in relevant legislation in respect of anti-money laundering or combating the financing of terrorism.

(When the bank/operation 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), as identified by a hash total or cross in the relevant space provided, are submitted herewith in the format indicated below:

Form number	Heading of form	Hash total on BA form electronically submitted ¹	In the event of a query, the Reserve Bank may contact:		
			Name	Tel no.	Ext
BA 610	Foreign operations of South African banks				
		Hard copies submitted ²	In the event of a query, the Reserve Bank may contact:		
			Name	Tel no.	Ext
BA 610	Foreign operations of South African banks				
Other	(Please specify)				

1. In respect of relevant amounts electronically submitted.
2. In respect of detailed information not submitted in an electronic format on the relevant return

D. ATTESTATION OF FORM BA 099A

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 FOREIGN CHIEF EXECUTIVE OFFICER, FOREIGN CHIEF ACCOUNTING OFFICER AND FOREIGN EXECUTIVE OFFICER (ANTI-MONEY LAUNDERING)

Signed at, this day of (yyyy-mm)

.....
*Foreign Chief Executive Officer**

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*Foreign Chief Accounting Officer**

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Foreign Executive Officer (Anti-money laundering)*

*Please note: When the Foreign Chief Executive Officer, Foreign Chief Accounting Officer or Foreign Executive Officer (Anti-money laundering) is not available to sign a completed form BA 099A, the officer performing the relevant function shall sign the 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.