

**IN THE ENFORCEMENT COMMITTEE ESTABLISHED IN TERMS  
OF SECTION 10(3), READ WITH 10A OF THE FINANCIAL  
SERVICES BOARD ACT, 97 OF 1990**

CASE NO:09 /2011

In the matter of:

**THE REGISTRAR OF SHORT-TERM INSURANCE**      The Applicant

and

**CIB INSURANCE SOLUTIONS (PTY) LIMITED**      Respondent

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**ORDER**

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WITH DUE CONSIDERATION to the settlement agreement (attached marked annexure "A") in terms of section 6B(7)(a) of the Financial Institutions (Protection of Funds) Act, No. 28 of 2001, I hereby determine that the Respondent contravened sections 4(3)(b) and 8(1)(a) of the Short-Term Insurance Act, No. 53 of 1998 and impose a penalty of R150 000 to be paid on or before 30 June 2011. The remaining terms and conditions of the settlement agreement are incorporated and made an order of the Enforcement Committee.

I make no order regarding costs.

Signed at PRETORIA on 22 June 2011.



C. F. Elöf

Chairperson of the Enforcement Committee.

*u*  
*Annexure A*

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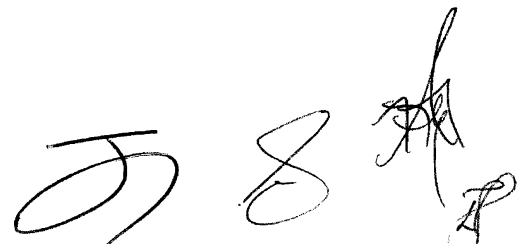
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**SETTLEMENT AGREEMENT IN TERMS OF SECTION 6B(7)(a)  
OF THE FINANCIAL INSTITUTIONS (PROTECTION OF  
FUNDS) ACT, 28 OF 2001**

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**PARTIES TO THE AGREEMENT**

1. The parties to this agreement are the Registrar of Short-Term Insurance ("the Registrar") herein represented by Jonathan Ian Dixon in his capacity as the Deputy Registrar of Short-Term Insurance,  
  
and  
  
CIB Insurance Solutions (Pty) Limited ("CIB"), herein represented by Michael George Cownie in his capacity as the Chief Financial Officer of CIB.



**WHEREAS**

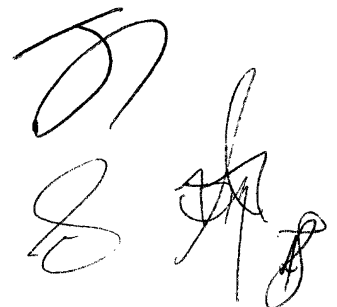
2. The Registrar is of the opinion that CIB contravened sections 4(3)(b) and 8(1)(a) of the Short-Term Insurance Act, 53 of 1998 (the Act).
  
3. CIB wishes to enter into a settlement agreement with the Registrar as contemplated in section 6B(7)(a) of the Financial Institutions (Protection of Funds) Act No.28 of 2001 (FI Act).

**NOW THEREFORE IT IS AGREED AS FOLLOWS**

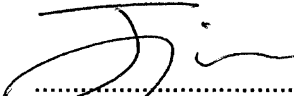
4. It is agreed between the parties that CIB contravened the following provisions of the Act:
  - 4.1. Section 4(3)(b) of the Act in that CIB published an advertisement in the June, July, August September and October 2009 editions of the "COVER" magazine, a financial services magazine, in which it advertised the marketing of a short-term policy, without disclosing the identity of the short-term insurer underwriting the policy.
  
  - 4.2. Section 8(1)(a) of the Act in that during the period 01 November 2008 until 31 March 2011, CIB applied the use of the word "*insurance*" to its business and registered trading name, namely CIB Insurance Solutions (Pty) Ltd, without the approval of the Registrar.

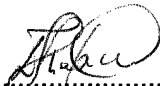


5. In light of the above, the parties have agreed that CIB will pay a penalty of R150 000 in respect of both contraventions, on or before 30 June 2011 in settlement of the matter.
6. If CIB does not comply with the terms of this agreement and the Registrar institutes legal proceedings to enforce the agreement, CIB consents to pay all legal costs to the Registrar on the Attorney and Client scale.
7. No leniency or postponement given by the Registrar to CIB or any amendment to the terms and conditions of this agreement will be binding unless such postponement, leniency or amendment is reduced to writing and signed by the parties.
8. Any receipt of a payment by the Registrar after the due date shall be without prejudice to any of the rights of the Registrar.
9. This Agreement does not constitute a novation of the cause or causes of action in terms whereof CIB was found to have contravened the Act.
10. The parties humbly request that the Honorable Chairperson makes the settlement an order, as envisaged in section 6B(7)(b) of the FI Act.

Handwritten signatures of the parties, including a large stylized signature at the top and several smaller signatures below it.


Signed at PRETORIA on 21 June 2011 on behalf of the Registrar.

  
.....  
**J I Dixon**

  
.....  
**Witness**

Signed at Bethesda on 13 June 2011 on behalf of **CIB Insurance Solutions (Pty) Limited**

  
.....  
**M G Cowrie**

  
.....  
**Witness**