

REGULATION 28 QUARTERLY NON-COMPLIANCE REPORT

Notes:

- 1 Funds are only required to report on non-compliances for purposes of regulation 28 for the relevant quarter and must complete all applicable fields.
- 2 Where funds exceed the limits for reasons other than regulation 28(3)(j) and have not been granted exemption in terms of regulation 28(9), they are required to complete the non-compliance report on a fund level, issuer/entity level and member level, where applicable.
- 3 The following need not to be reported on:-
 - 3.1 Assets which are subject to the grandfathering provision as set out in regulation 28(3)(c);
 - 3.2 Assets which are invested in Regulation 28 compliant CIS portfolios and/or insurance policies for which a certificate of compliance has been obtained as set out in regulation 28(8)(b);
 - 3.3 Where asset limits are exceeded as a result of the change in fair value or characteristic of the assets, as set out in regulation 28(3)(j); and
 - 3.4 Where funds have exceeded the limits for reasons other than regulation 28(3)(j) but have obtained exemption in terms of regulation 28(9).
- 4 In the following instances, funds are not required to complete this report:
 - 4.1 Where a liquidator has been appointed and such appointment has been approved by the Registrar in terms of section 28(2) of the Act;
 - 4.2 Where a fund has been exempted from liquidation in terms of section 28(17) of the Act; or
 - 4.3 Where a full transfer was approved by the Registrar in terms of section 14 of the Act.
- 5 The quarterly report must be submitted in the electronic template provided for on the FSB Website and the scanned version of the signed quarterly report (Schedules 1 and 2) must be attached to the Quarterly Non-compliance Reporting package as a .pdf file or a .tif file.

SCHEDULE 1A

NON-COMPLIANCE ON FUND LEVEL

Fund name: Quarter ending on:.....

Assets held in compliance with Regulation 28		Fair Value
		R
A	Total assets of the fund on quarter end	
B	Less: Items of Statement of Net Assets and Funds:	
	B.1 Plant and Equipment	
	B.2 Current Assets (excluding cash at bank)	
C	Sub-total (A - B)	

Instances of non-compliance at fund level

Table 1 items	Description	Local	Percentage of Fair value	Reg 28 limits	Foreign (Excluding Africa)	Percentage of Fair value	Reg 28 limits*	Africa	Percentage of Fair value	Reg 28 limits*	Total	Percentage of Fair value	Reg 28 limits
		R	%	%	R	%	%	R	%	%	R	%	%
1.1, 1.2	Cash and Deposits			100									100
2	Debt instruments including Islamic debt instruments			75/100									75/100
2.1(a)	Debt instruments guaranteed by the Republic			100	----		----	----					100
	Debt instruments not guaranteed by the Republic			75									75
2.1(b)	- Debt instruments guaranteed by a foreign government			25									25
2.1(c)	- Debt instruments guaranteed by a South African Bank			75									75
.1(c)(i,ii,iii)	- Listed on an exchange			75									75
2.1(c)(iv)	- Not listed on an exchange			25									25
2.1(d)	- Debt instruments guaranteed by an entity or public entity or debt instruments issued or guaranteed by a public entity under the Public Finance Management Act			50									50
2.1(d)(i)	- Listed on an exchange			50									50
2.1(d)(ii)	- Not listed on an exchange			25									25
2.1(e)	- Other debt instruments			25									25
2.1(e)(i)	- Listed on an exchange			25									25
2.1(e)(ii)	- Not listed on an exchange			15			15						15
3.1	Equities			75									75
3.1(a)(i,ii,iii)	- Listed			75			25						75
3.1(b)	- Not listed			10			10						10
4.1	Immovable property			25			25						25
4.1(a)(i,ii,iii)	- Listed			25			25						25
4.1(b)	- Not listed			15			15						15
5.1	Commodities			10			10						10
6	Investment in the business of a participating employer			5/10	----		----	----					5/10
6(a)	- Section 19(4) of the Pension Funds Act			5	----		----	----					5
6(b)	- to the extent it has been allowed by an exemption in terms of section 19(4A) of the Pension Funds Act			10	----		----	----					10
7	Housing loans granted to members - section 19(5)			95	----		----	----					95
8.1	Hedge Funds, private equity funds and any other assets not referred to in this schedule			15									15
8.1(a)	- Hedge Funds			10			10						10
8.1(b)	- Private equity funds			10			10						10
8.1(c)	- Any other assets not referred to in this schedule			2.5			2.5			2.5			2.5

* As per prescribed SARB maximum limits, otherwise as stated in this column

SCHEDULE 1B

NON-COMPLIANCE ON MEMBER LEVEL AND ISSUER/ ENTITY LEVEL

Fund name: Quarter ending on:.....

Table 1
Items **Instances of non-compliance**

Reg 28 limits	MEMBER LEVEL			ISSUER/ENTITY LEVEL		
	Number of members non-compliant during the period	Number of members non-compliant at end of period	Highest percentage exceeded on member level	Number of issuers / entities non-compliant during the period	Number of issuers/ entities non-compliant at end of period	Highest percentage exceeded on issuer/ entity level
%			%			%

CASH AND DEPOSITS

1.1	Notes and coins, any balance or deposit in an account held with a South African bank (Inside the Republic)	25					
1.1	A money market instrument issued by a South African bank including an Islamic liquidity management financial instrument (Inside the Republic)	25					
1.1	Any positive net balance in a margin account with an exchange (Inside the Republic)	25					
1.1	Any positive net balance in a settlement account with an exchange, operated for the buying and selling of assets (Inside the Republic)	25					
1.2	Any balance or deposit held with a foreign bank (Foreign)	5					
1.2	Any balance or deposit held with an African bank (Foreign)	5					
1.2	A money market instrument issued by a foreign bank including an Islamic liquidity management financial instrument (Foreign)	5					

**DEBT INSTRUMENTS INCLUDING ISLAMIC DEBT INSTRUMENTS
(Inside the Republic/ Foreign)**

2.1(b)	Debt instruments issued or guaranteed by the government of a foreign country	10					
2.1(c)(i)	Debt instrument issued/guaranteed by a South African Bank: listed on an exchange with an issue market capitalisation of R20 billion or more, or an amount or conditions as prescribed	25					
2.1(c)(ii)	Debt instrument issued/guaranteed by a South African Bank: listed on an exchange with an issuer market capitalisation of between R2 billion and R20 billion, or an amount or conditions as prescribed	15					
2.1(c)(iii)	Debt instrument issued/guaranteed by a South African Bank: listed on an exchange with an issuer market capitalisation of less than R2 billion, or an amount or conditions as prescribed	10					
2.1(c)(iv)	Debt instrument issued/guaranteed by a South African Bank: not listed on an exchange	5					
2.1(d)(i)	Debt instruments guaranteed by an entity or public entity or debt instruments issued or guaranteed by a public entity under the Public Finance: listed on an exchange	10					
2.1(d)(ii)	Debt instruments guaranteed by an entity or public entity or debt instruments issued or guaranteed by a public entity under the Public Finance: not listed on an exchange	5					
2.1(e)(i)	Other debt instruments : listed in an exchange	5					
2.1(e)(ii)	Other debt instruments: not listed in an exchange	5					

SCHEDULE 1B (continue)

NON-COMPLIANCE ON MEMBER LEVEL AND ISSUER/ ENTITY LEVEL

Fund name: Quarter ending on:.....

Table 1 Instances of non-compliance

Reg 28 limits	MEMBER LEVEL			ISSUER/ENTITY LEVEL		
	Number of members non-compliant during the period	Number of members non-compliant at end of period	Highest percentage exceeded on member level	Number of issuers / entities non-compliant during the period	Number of issuers/ entities non-compliant at end of period	Highest percentage exceeded on issuer/ entity level
%			%			%
EQUITIES (Inside the Republic/ Foreign)						
3.1(a)(i)	Preference and ordinary shares in companies, excluding shares in property companies, listed on an exchange: issuer market capitalisation of R20 billion or more	15				
3.1(a)(ii)	Preference and ordinary shares in companies, excluding shares in property companies, listed on an exchange: issuer market capitalisation of between R2 billion and R20 billion	10				
3.1(a)(iii)	Preference and ordinary shares in companies, excluding shares in property companies, listed on an exchange: issuer market capitalisation of less than R2 billion	5				
3.1b	Preference and ordinary shares in companies, excluding shares in property companies, not listed in an exchange	2.5				
IMMOVABLE PROPERTY (Inside the Republic/ Foreign)						
4.1ai	Preference shares, ordinary shares and linked units comprising shares linked to debentures in property companies, or units in a Collective Investment Scheme in Property, listed on an exchange: issuer market capitalisation of R10 billion or more	15				
4.1aii	Preference shares, ordinary shares and linked units comprising shares linked to debentures in property companies, or units in a Collective Investment Scheme in Property, listed on an exchange: issuer market capitalisation of between R3 billion and R10 billion	10				
4.1aiii	Preference shares, ordinary shares and linked units comprising shares linked to debentures in property companies, or units in a Collective Investment Scheme in Property, listed on an exchange: issuer market capitalisation of less than R3 billion or an amount or conditions as prescribed	5				
4.1b	Immovable property, preference and ordinary shares in property companies, and linked units comprising shares linked to debentures in property companies, not listed on an exchange	5				
COMMODITIES (Inside the Republic/ Foreign)						
5.1ai	Gold (including Kruger Rands)	10				
5.1aii	Each other commodities	5				
INVESTMENTS IN THE BUSINESS OF A PARTICIPATING EMPLOYER INSIDE THE REPUBLIC						
6a	Section 19(4) of the Pension Funds Act	5				
6b	To the extent it has been allowed by an exemption in terms of section 19(4A) of the Pension Funds Act	10				
HEDGE FUNDS, PRIVATE EQUITY FUNDS AND ANY OTHER ASSET NOT REFERRED TO IN THIS SCHEDULE (Inside the Republic/ Foreign)						
8.1ai	Funds of hedge funds	5				
8.1aii	Hedge funds	2.5				
8.1bi	Funds of private equity funds	5				
8.1bii	Private equity funds	2.5				
8.1c	Other assets not referred to in this schedule and excluding a hedge fund or private equity fund	2.5				

SCHEDULE 2

Declaration by the Board of management of the Fund

Fund name: Quarter ending on:.....

The Board hereby confirms that the information contained in Schedules 1A and 1B is, to the best of our knowledge accurate and complete.

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CHAIRMAN

PRINT NAME

DATE

Note: Where the completion, submission and declaration in respect of this return has been delegated to the principal officer, board member, administrator or any other person/entity, such delegation must be duly authorised and it should be noted that the board of the fund remains ultimately responsible for the accuracy and completeness of this submission.