



**REPUBLIC OF SOUTH AFRICA**

# **GOVERNMENT GAZETTE**

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## **STAATSKOERANT**

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**PRESIDENT'S OFFICE**

**No. 1870.**

**20 November 1996**

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 70 of 1996: Safe Deposit of Securities Amendment Act, 1996.

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**KANTOOR VAN DIE PRESIDENT**

**No. 1870.**

**20 November 1996**

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 70 van 1996: Wysigingswet op die Veilige Bewaring van Effekte, 1996.

Act No. 70, 1996

SAFE DEPOSIT OF SECURITIES AMENDMENT  
ACT, 1996

## GENERAL EXPLANATORY NOTE:

- [                      ] Words in bold type in square brackets indicate omissions from existing enactments.
- \_\_\_\_\_ Words underlined with a solid line indicate insertions in existing enactments.

# ACT

To amend the Safe Deposit of Securities Act, 1992, so as to amend, delete or insert certain definitions; to further regulate the deposit of securities with a depository institution and with a central securities depository; to provide that a depository institution may disclose certain information to an issuer of securities; to regulate a certain cession of securities; to further regulate the deliveries of securities; to empower the Registrar of Financial Markets to amend terms and conditions subject to which a central securities depository had been registered; to extend the provisions relating to the rules of a central securities depository; to effect certain technical amendments to the Act; and to provide for matters connected therewith.

*(English text signed by the President.)*  
*(Assented to 6 November 1996.)*

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 1 of Act 85 of 1992, as amended by section 70 of Act 104 of 1993**

1. Section 1 of the Safe Deposit of Securities Act, 1992 (Act No. 85 of 1992), 5  
hereinafter referred to as the principal Act, is hereby amended—

(a) by the substitution for the definition of “central securities account” of the following definition:

“‘central securities account’ means an account kept by a central securities depository for a [depository institution] participant and reflecting the number or nominal value of securities of each kind [deposited for safe deposit] and all entries made in [respect of] such [securities] account;”;

(b) by the substitution for the definition of “central securities repository” of the following definition:

“‘central securities repository’ means a [central] collection of securities [repository] of the same kind as contemplated in section 11;”;

(c) by the insertion after the definition of “central securities repository” of the following definitions:

“‘client’ means any person, including a depository institution, who deposits securities with a depository institution for the purposes of this Act and who may be the beneficial owner of such securities;

- 'controlling body', in relation to a central securities depository, means the board of directors of the central securities depository;  
'deposit' means a deposit of securities for safe custody;";
- (d) by the deletion of the definition of "depositor";
- (e) by the substitution for the definition of "depository institution" of the following definition: 5  
" 'depository institution' means [an institution or] a person or category of persons authorized by the Registrar to hold securities in safe deposit for the purposes of this Act;";
- (f) by the insertion after the definition of "depository institution" of the following definition: 10  
" 'directive' means a directive issued by a central securities depository in terms of the rules;";
- (g) by the substitution for the definition of "entry" of the following definition: 15  
" 'entry' includes an electronic recording of any deposit, withdrawal, transfer, attachment, [or] pledge, cession in securitatem debiti or other transaction in respect of an interest in securities;";
- (h) by the insertion after the definition of "entry" of the following definition: 20  
" 'issuer' means a person who issues securities and whose securities are accepted for deposit by a depository institution or by a central securities depository, as the case may be;";
- (i) by the insertion after the definition of "Minister" of the following definition: 25  
" 'participant' means a depository institution accepted by a central securities depository as a participant in terms of section 2(1A);";
- (j) by the substitution for the definition of "securities account" of the following definition: 30  
" 'securities account' means an account kept by or on behalf of a depository institution for a [depositor] client and reflecting the number or nominal value of securities of each kind deposited [for safe deposit] and all entries made in respect of such securities relating to such client;";
- (k) by the insertion after the definition of "securities account" of the following definition: 35  
" 'securities of the same kind' means securities of the same class and issued by the same issuer;"; and
- (l) by the substitution for the definition of "securities repository" of the following definition: 40  
" 'securities repository' means [all] a collection of securities of the same kind [held by—  
(a) a depository institution; and  
(b) another depository institution or a central securities depository with which the depository institution mentioned in subparagraph (a) has deposited or re-deposited securities of that kind; and  
(c) a central securities depository with which the other depository institution mentioned in subparagraph (b) has deposited or re-deposited securities of that kind] as contemplated in section 3;". 45

#### Substitution of section 2 of Act 85 of 1992

2. The following section is hereby substituted for section 2 of the principal Act:

#### "Deposit of securities

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2. (1) The Registrar may—

- (a) authorise any person; or  
(b) authorise any category of persons by notice in the *Gazette*,

to act as a depository institution for the purposes of this Act on such terms and conditions as [he] the Registrar may determine in writing to such person or publish in the notice concerned in respect of such category of persons.

(1A) A depository institution authorised by the Registrar in terms of subsection (1) may be accepted by a central securities depository as a participant in terms of the rules of that central securities depository. 5

(2) Where securities are deposited [for safe custody] with a depository institution such institution shall, unless the [depositor] client expressly directs otherwise in writing, be entitled to [re-deposit] deposit them with another depository institution [which is a member of a central securities depository] or if it is a participant deposit them with a central securities depository. 10

(3) (a) Every [depositor] client, depository institution and participant shall be deemed to warrant [to the depository institution or central securities depository, as the case may be], that [he] such person is entitled to deposit [such] the securities deposited by that person and that any document relating to such securities and lodged by [him with such institution or depository] that person is genuine and correct in all respects and [he] that person shall be deemed to have agreed to indemnify [such] the depository institution, participant or the central securities depository against any claim made upon [it] the depository institution, participant or central securities depository and against any loss suffered by [it] the depository institution, participant or central securities depository arising out of such deposit or breach of warranty. 20

(b) A central securities depository shall not be deemed to have given any such warranty or indemnity." 25

#### Substitution of section 3 of Act 85 of 1992

3. The following section is hereby substituted for section 3 of the principal Act:

##### "Securities repository 30

3. (1) A depository institution holding securities may hold all securities of the same kind deposited with it [for safe custody] collectively in a separate securities repository.

(2) A depository institution shall notify the client having a securities account with it of any entry made in such account. 35

(3) A depository institution shall on request disclose information with regard to the holdings of a client in a securities repository, unless the client concerned directs otherwise in writing."

#### Substitution of section 4 of Act 85 of 1992

4. The following section is hereby substituted for section 4 of the principal Act: 40

##### "Ownership of securities

4. (1) Where securities of any kind are deposited with a depository institution or with a central securities depository [for safe deposit], or accrue to securities held by such institution in a securities repository or by such depository in a central securities repository, the person who was the owner of the securities at the time of deposit or accrual shall become entitled to an interest as co-owner of all the securities of the same kind comprised in the securities repository or central securities repository, [for securities of that kind] as the case may be. 45

(2) In so far as any limited right exists in respect of any securities at the 50

time of such deposit or accrual, such limited right shall extend to the interest of such co-owner and to any securities delivered to [him] that co-owner.

(3) The interest of [an owner] a co-owner, client or participant in all the securities in a securities repository or central securities repository, as the case may be, shall be calculated with reference to the proportion that the number or nominal value of securities deposited by [him] or on [his] behalf of that co-owner, client or participant and accruing to such securities bears from time to time to the total number or nominal value of all securities of that kind held in the securities repository or central securities repository, as the case may be.

(4) A [certificate] written acknowledgement signed by or on behalf of a depository institution [or] in respect of an owner of securities or of a client, or by or on behalf of a central securities depository in respect of a participant or client, as the case may be, and specifying the interest of [the depositor] that owner, client, or participant, as the case may be, shall be *prima facie* evidence of the title of [the depositor of] that person in such interest."

#### Substitution of section 6 of Act 85 of 1992

5. The following section is hereby substituted for section 6 of the principal Act:

##### "Pledge, or cession *in securitatem debiti*, of securities

6. (1) A pledge or cession *in securitatem debiti* in respect of an interest in securities held by a depository institution in a securities repository shall be effected by agreement completed by entry in the securities account of—

- (a) the pledgor in favour of the pledgee specifying the name of the pledgee, the interest pledged and the date; or
- (b) the cedent in favour of the cessionary specifying the name of the cessionary, the interest ceded and the date, as the case may be.

(2) Such an interest shall not be transferred except with the written consent of the pledgee or cessionary.

(3) The pledgee or cessionary of such an interest shall be entitled to all the rights of a pledgee or cessionary *in securitatem debiti* of movable [corporeal] property [in possession of that property]."

#### Repeal of section 7 of Act 85 of 1992

6. Section 7 of the principal Act is hereby repealed.

#### Substitution of section 8 of Act 85 of 1992

7. The following section is hereby substituted for section 8 of the principal Act:

##### "Delivery of securities

8. Subject to the provisions of [section] sections 4 and 6, the owner of an interest in securities held in a securities repository, or a participant holding an interest in a central securities repository, as the case may be, shall at all times be entitled to delivery, within a reasonable time, by the depository institution or central securities depository concerned, of the same number of securities, or securities of the same nominal value, and of the same kind as the securities held on [his] such person's behalf in such securities repository or central securities depository, as long as such person has a sufficient unencumbered credit balance of securities with the depository institution or central securities depository concerned."

**Amendment of section 9 of Act 85 of 1992, as amended by section 71 of Act 104 of 1993****8. Section 9 of the Act is hereby amended—**

- (a) by the substitution for subsections (4) and (5) of the following subsections, respectively:

“(4) The Registrar may, after considering all the information, documents and reports furnished [to him] in terms of this section, grant or refuse the relevant application or grant the application subject to such terms and conditions as [he] the Registrar may deem fit, and the Registrar may thereafter amend those terms and conditions if prevailing circumstances necessitate any amendment.”

(5) The Registrar shall not grant an application under this section for the registration of a central securities depository unless the prescribed fee has been paid and [he] the Registrar is satisfied—

- (a) that the establishment of the proposed central securities depository will be in the public interest;
- (b) that the applicant will be able to establish itself successfully as a central securities depository; and
- (c) that the business of the applicant will be conducted in a prudent manner and with due regard to the rights of [depositors, members] clients, participants and issuers of securities; and
- (d) that the members of the proposed central securities depository have agreed in writing to abide by and are able to comply with the requirements of the rules of the central securities depository and the Act and that they are depository institutions which have been approved by the Registrar as members of the central securities depository.”;

- (b) by the substitution for paragraph (b) of subsection (6) of the following paragraph:

“(b) if [he] the Registrar is of the opinion that it is not in the public interest to allow the central securities depository to continue its activities; or”;

- (c) by the substitution for subparagraph (i) of paragraph (a) of subsection (7) of the following subparagraph:

“(i) inform the central securities depository of [his] the intention to cancel such registration;”;

- (d) by the substitution for paragraph (b) of subsection (7) of the following paragraph:

“(b) After considering any representations received within the specified period from the central securities depository concerned, the Registrar may [in his discretion]—

- (i) proceed with the cancellation; or
- (ii) refrain from taking any further steps, and the Registrar shall in writing inform the central securities depository concerned of [his] the decision in terms of this subsection.”; and

- (e) by the substitution for subsections (8) and (9) of the following subsections, respectively:

“(8) Whenever the Registrar grants or refuses an application in terms of this section or cancels the registration of a central securities depository, [he] the Registrar shall give written notice of the fact to the applicant or to the central securities depository, as the case may be.

(9) Whenever a central securities depository becomes aware of a particular depository institution ceasing to be a [member of it] participant, the central securities depository shall as soon as practicable notify the Registrar thereof.”.

**Amendment of section 10 of Act 85 of 1992****9. Section 10 of the Act is hereby amended—**

- (a) by the substitution for subsections (1) and (2) of the following subsections, respectively:

“(1) Only a participant shall be entitled to have a central securities account with a central securities depository, and to—

- (a) deposit securities with or withdraw securities from that depository; or
- (b) transfer, pledge or cede securities through the medium of that depository.

(2) [If the owner] In the event of rights being exercised in respect of securities deposited [by a depository institution] with a central securities depository [wishes to exercise his] such rights [he] shall [do so] be exercised through [that depository institution] a participant, and that [depository institution] participant shall exercise those rights in its own name on behalf of the relevant clients.”; and

(b) by the addition of the following subsections:

“(4) (a) No central securities depository or depository institution shall become the owner, co-owner, holder, pledgee or cessionary in *securitatem debiti*, of securities merely because of—

- (i) a deposit of securities; or
- (ii) the registration in its name of—
  - (aa) securities;
  - (bb) limited rights in securities;
  - (cc) other rights in securities;
  - (dd) benefits in respect of securities; or
  - (ee) benefits accruing to securities.

(b) Paragraph (a) shall also apply to a wholly owned subsidiary (as defined in section 1(1) of the Companies Act, 1973 (Act No. 61 of 1973)) of a central securities depository or depository institution.

(5) A central securities depository shall not be obliged to recognise any relationship of trust or agency of its participants in respect of securities.

(6) A central securities depository shall on request disclose information with regard to the holdings of a participant or client in a central securities repository, unless the participant or client concerned directs otherwise in writing.”.

#### Substitution of section 11 of Act 85 of 1992

10. The following section is hereby substituted for section 11 of the principal Act:

##### “Central securities repository

11. (1) A central securities depository may hold all securities of the same kind deposited with it by a [depository institution] participant [for safe custody] collectively in a separate central securities repository.

(2) [A central securities repository shall comprise all securities of the same kind held by the central securities depository.]

(3) The provisions of sections 5 and 6 shall apply *mutatis mutandis* to the transfer, [and] pledge and cession *in securitatem debiti* by one [depository institution] participant to another of an interest in securities held in deposit by a central securities depository [in safe deposit].

(4) A central securities depository shall notify the [depository institution] participant having a central securities account with it of any entry made in such account.”.

#### Substitution of section 12 of Act 85 of 1992, as amended by section 72 of Act 104 of 1993.

11. (1) The following section is hereby substituted for section 12 of the principal Act:

**“Rules of central securities depository**

12. (1) The rules of any central securities depository shall be framed so as to ensure, to the satisfaction of the Registrar—

- (a) that the business of the central securities depository is carried out with due regard to the public interest and the interests of **[depositors, members] owners, clients, participants** and the issuers of securities; 5
- (b) that the central securities depository is managed and administered in an efficient manner;
- (c) that only a person or category of persons **[approved] authorised** by the Registrar **[is admitted as a member of the central securities depository]** to act as a depository institution in terms of section 2(1) and accepted by the central securities depository in terms of section 2(1A) may be a participant and that the rules governing the **[admission] acceptance and expulsion** of a person as a **[member] participant** are equitable and in the public interest; 10 15
- (d) that the central securities accounts kept for **[depository institutions]** each participant are conducted with due regard to their interests;
- (e) that adequate steps are available against any **[depository institution] participant** which contravenes or fails to comply with **[the provisions] any provision** of this Act, **[or these] the rules, interim rules or directives, and—** 20
  - (i) that sanctions including penalties which shall not exceed R1 000 000 are prescribed in respect of any such contravention or failure to comply therewith;
  - (ii) that full particulars regarding the imposition of a penalty may be published in the *Gazette*; 25
  - (iii) that any person found guilty in terms of the rules may be ordered to pay the costs incurred in an investigation or hearing; and
  - (iv) that a central securities depository may take into account any relevant information at a hearing, including information provided to it by the Registrar in accordance with section 18(2)(b); 30
- (f) that each of the participants is financially sound and has entered into, and is maintaining, valid and adequate guarantees in respect of—
  - (i) its actual and potential liabilities; and
  - (ii) conditional and contingent liabilities to the central securities depository; and 35
  - (iii) liabilities which existed before, or accrue after, a person has ceased to be a participant;
- (g) that adequate steps are taken on a regular basis by a central securities depository and by its participants according to generally accepted accounting practice for the auditing of the central securities accounts **[held by it] and securities accounts, as the case may be, and that [where the securities accounts and central securities accounts are not kept by the making of entries in bound books,] adequate precautions are taken for guarding against falsification [and for the ascertainment of the interest of the owner of securities];** 40 45
- (h) that proper measures are taken to pay to the **[depositors] participants or clients** all dividends and other payments made by the **[issuer] issuers** of securities and to convey to them all notices regarding rights and other benefits accruing to the securities and to give effect to the lawful instructions of the **[depositors] participants or clients** with regard to voting rights and other matters and to ensure that the rights of **[depositors] participants or clients** are not in any way diminished by the fact that securities held by them or on their behalf are held collectively in a central securities repository as provided for by this Act; **[and]** 50 55



- (i) that fees and charges required by it for its services shall be made known to its [depositors and members] participants and that the fees and charges required by a participant for its services shall be made known to its client;
- (j) that proper measures are taken by a participant—
  - (i) to pay clients all moneys in respect of securities received by a participant from the central securities depository or issuer or a company; and
  - (ii) to convey to clients all information regarding rights and other benefits accruing to the securities; and
  - (iii) to give effect to the lawful instructions of clients with regard to voting rights and other matters; and
  - (iv) to ensure that the rights of clients are not in any way diminished by the fact that securities held on their behalf are held collectively in a securities repository or central securities repository as provided for by this Act;
- (k) that, on written request from an owner or client of an interest in securities held in a securities repository or central securities repository, a participant be required to deliver the same number of securities, or securities of the same nominal value and of the same kind, as the securities held on behalf of that owner or client in a securities repository or central securities repository, as long as the owner or client has a sufficient unencumbered credit balance of securities with the participant;
- (l) that a participant's central securities accounts shall be prohibited from showing a debit balance;
- (m) that a central securities depository shall be entitled to issue directives and interim rules;
- (n) that a central securities depository may refuse to accept securities from any particular issuer of securities;
- (o) that a central securities depository may keep records of clients, owners and beneficial owners of securities and limited or other interests in the securities;
- (p) that the right of participants to withdraw instruments in respect of securities be subject to a time limit from the date and time of deposit;
- (q) that provisions are made for instructions to be given by participants to a central securities depository.

(1A) The rules of any central securities depository may provide, to the satisfaction of the Registrar, for the limitation of the liability of the central securities depository, a director, officer, employee or representative of the central securities depository, or any member of the controlling body or subcommittee of the controlling body, for any loss sustained by or damage caused to any person as a result of anything done or omitted by the central securities depository, a director, officer, employee, representative or member in the *bona fide* or negligent (but not grossly negligent) exercise of any power or carrying out of any duty or performance of any function under or in terms of this Act or the rules.

(1B) Subject to this Act and the approval of the Registrar, the controlling body may make rules with regard to any matter which is necessary or expedient in order to achieve the objects of this Act.

(2) [At the request of the] The Registrar shall as soon as possible after granting an application for the registration of a central securities depository, [shall publish its rules] cause the rules of the central securities depository and a list of its [members as directed by the Registrar, at its own] participants to be published in the *Gazette* in English and one other official language at the expense of the central securities depository concerned.

(3) No addition to, amendment of or deletion from (other than a suspension of) the rules of a central securities depository or the said list of [members] participants shall be valid [until] unless—

- (a) it has been approved by the Registrar in writing;  
 (b) [against payment of] the prescribed fee has been paid; and  
 (c) a date has been stipulated in the Registrar's approval for the coming into operation of the addition, amendment or deletion.

(4) [A] Upon receipt of an application for approval in terms of subsection (3), the Registrar shall cause to be published at the expense of the central securities depository in English and one other official language in the *Gazette* a notice setting out the proposed addition to, amendment of or deletion from the said rules or the list of [members, shall be published by notice in the *Gazette* by the central securities depository in both official languages] participants. 5 10

(5) (a) The said notice shall call upon members of the public who have objections to the proposed addition, amendment or deletion, to lodge such objections with the Registrar within a period of 30 days from the date of publication in the *Gazette*. 15

(b) The Registrar shall consider the objections, if any, and shall approve or disapprove of the addition, amendment or deletion within a period of two months after expiry of the period referred to in paragraph (a).

(c) The Registrar may, within the period of two months contemplated in paragraph (b), extend that period by notice to the central securities depository concerned for a period which in the circumstances is reasonable. 20

(d) If the Registrar does not disapprove of an addition, amendment or deletion within the period of two months, or any period extended in terms of paragraph (c), the Registrar shall be deemed to have approved thereof and such addition, amendment or deletion shall come into operation on the day immediately following upon the date of expiry of the said period of two months. 25

(6) Whenever [the Registrar deems] it is in the public interest, [he] the Registrar may, after reasonable consultation with the central securities depository and with the consent of the Minister, by notice in the *Gazette* amend, add to or rescind any provision of the rules of that central securities depository with effect from the date immediately following upon the date of publication of the notice or such later date as [he] may be [specify] specified [in the *Gazette*] therein. 30

(7) (a) Subject to the prior approval of the Registrar, the controlling body may suspend any of the rules of the central securities depository concerned for a period not exceeding 90 days at a time after notice of the proposed suspension has been given to the participants of the central securities depository concerned. 35

(b) Subject to the prior approval of the Registrar, the central securities depository may, for the period of the suspension referred to in paragraph (a), issue an interim rule to regulate the matter in question until such time as an appropriate amendment to the rules can be made in terms of this section. 40

(c) The Registrar shall as soon as possible after the suspension of a rule and the issue of an interim rule, cause to be published at the expense of the central securities depository in English and one other official language in the *Gazette* a notice setting out the rule suspended, the period of suspension, the interim rule and the period of the operation of the interim rule. 45 50

(d) Any contravention of or non-compliance with an interim rule shall *mutatis mutandis* have the same legal effect as a contravention of or non-compliance with a rule.

(8) The provisions of any rule made under this section shall be binding on all participants and on every person utilising the services of a participant." 55

**Amendment of section 13 of Act 85 of 1992**

12. Section 13 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) The attachment of an interest in securities deposited [for safe custody] with a depository institution and [comprised] held in a securities repository or central securities repository shall only be complete when—
- (a) notice of the attachment has been given in writing by the sheriff to the depository institution;
- (b) the sheriff has taken possession of any securities account as evidenced by a [certificate] written acknowledgement issued by a [central securities depository or member of such depository, as the case may be,] participant or has certified that he or she has been unable, despite diligent search, to obtain possession of such [certificate] written acknowledgement; and
- (c) the sheriff has made an entry of the attachment on such securities account or caused it to be made by such depository institution.”.

**Amendment of section 15 of Act 85 of 1992**

13. Section 15 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The Registrar or a person nominated by [him] the Registrar may attend any meeting of a controlling body of a central securities depository or a subcommittee of such a body, and may take part, but not vote, in all the proceedings at such meeting.”; and
- (b) by the substitution for subsection (3) of the following subsection:
- “(3) For the purposes of this section ‘executive officer’ means the person appointed by the controlling body of the central securities depository in terms of the rules concerned as executive officer of that central securities depository or, in [his] the executive officer’s absence, [his] the deputy or, if there is no such deputy, such other person as may be appointed by the controlling body to perform all the functions which shall or may be performed by the executive officer.”.

**Amendment of section 18 of Act 85 of 1992**

14. Section 18 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The provisions of the Inspection of Financial Institutions Act, 1984 (Act No. 38 of 1984), shall *mutatis mutandis* apply to a central securities depository, [and a member thereof, a central securities repository, a depositor] participant or depository institution, and for such purposes the central securities depository, [member, central securities repository, depositor] participant or depository institution shall be deemed to be a financial institution, and the Registrar [as defined in section 1 of this Act shall] to be the registrar [in relation to the central securities depository, member, central securities repository, depositor or depository institution] defined in section 1 of the Inspection of Financial Institutions Act, 1984.”; and
- (b) by the substitution for paragraph (b) of subsection (2) of the following paragraph:
- “(b) the proviso to section 8(1) thereof shall be construed as if the following further [proviso] paragraph were added [at the end thereof]:
- “(e) the registrar [may in his discretion] shall communicate to the controlling body of a central securities depository any relevant information obtained by [him] the registrar in the course of an inspection under this Act, or from a report by an inspector on such an inspection [of the affairs of a person who is or was a member of that central securities depository].”; and

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(c) by the deletion of subsection (3).

**Substitution of long title of Act 85 of 1992**

15. The following long title is hereby substituted for the long title of the principal Act:  
"To provide for the registration of a central securities depository for the safe  
custody of securities in terms of a predetermined set of rules; to permit a  
depository institution to become a [member] participant of a central securities  
depository; to permit [investors] clients to deposit securities through a [depository  
institution] participant with a central securities depository; and to provide for the  
ownership, transfer, pledge and delivery of securities held in safe custody; and to  
provide for matters connected therewith." 5 10

**Short title**

16. This Act shall be called the Safe Deposit of Securities Amendment Act, 1996.