

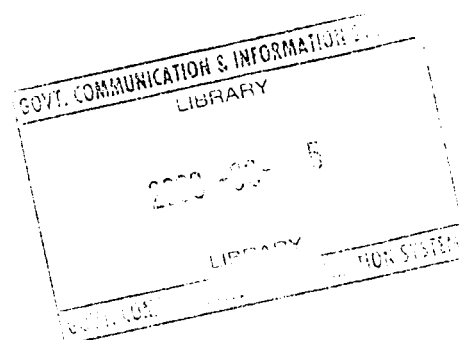
REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**INSURANCE
AMENDMENT BILL**

[B 52—2002]

*(As agreed to by the Portfolio Committee on Finance
(National Assembly))*



[B 52A—2002]

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AMENDMENTS AGREED TO

INSURANCE AMENDMENT BILL [B 52—2002]

CLAUSE 1

1. On page 3, from line 12, to omit paragraph (d).

CLAUSE 7

1. On page 4, after line 46, to add:

(3) No information furnished by a director or managing executive in terms of subsection (2) may be used in any subsequent criminal proceedings against such director or managing executive.

CLAUSE 11

1. On page 6, from line 16, to omit subsection (b) and to substitute:

(b) by the substitution for subsection (2) of the following subsection:

“(2) A long-term insurer shall not declare a dividend or pay a dividend to its shareholders **[if, and for as long as,]—**

(a) while it fails to comply with subsection (1);

(b) if that would result in it failing to comply with subsection (1); or

(c) if [the], after such declaration or payment [of the dividend would result in it failing to comply with subsection (1)], it would have assets the aggregate value of which would be less than the aggregate value of its liabilities, issued share capital and non-distributable reserves.”.

CLAUSE 18

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 47 of Act 52 of 1998

18. Section 47 of the Long-term Insurance Act, 1998, is hereby amended by the addition to subsection (2) of the following paragraph, the existing subsection becoming paragraph (a):

“(b) Paragraph (a) does not apply to a receipt issued by a bank as defined in section 1 of the Banks Act, 1990 (Act No. 94 of 1990), or by a mutual bank as defined in section 1 of the Mutual Banks Act, 1993 (Act No. 124 of 1993).”.

CLAUSE 20

Clause rejected.

CLAUSE 31

1. On page 12, after line 31, to add:

(3) No information furnished by a director or managing executive in terms of subsection (2) may be used in any subsequent criminal proceedings against such director or managing executive.

LONG TITLE

1. On page 2, in the fourteenth line, to omit "interest on unpaid premiums, loans and advances by long-term insurers,".