
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

NATIONAL TREASURY

NO. R. 1449

18 DECEMBER 2017

PUBLICATION OF DRAFT REGULATIONS IN TERMS OF SECTIONS 61(4) AND 304 OF THE FINANCIAL SECTOR REGULATION ACT, 2017 FOR PUBLIC COMMENT

The Minister of Finance gives notice as required in terms of section 288(4) of the Financial Sector Regulation Act, 2017 (Act No. 9 of 2017) ("the FSRA") of the publication of draft Regulations that are proposed to be made in terms of sections 61(4), 288 and 304, for public comment.

A copy of the draft Regulations and a comprehensive impact report on the FSRA are available on the National Treasury website: www.treasury.gov.za.

In terms of section 304 of the FSRA, the Minister of Finance is empowered to make Regulations that provide for additional matters that are necessary in order to provide for the appropriate implementation of the FSRA that are not addressed in the Act, and for the establishment of the Prudential Authority and the Financial Sector Conduct Authority ("the financial sector regulators") and other entities that must be established. The draft Regulations are intended to clarify the performance of functions in terms of the Act during the transitional period prior to the establishment of the financial sector regulators. The draft Regulations also provide for transitional arrangements until the Financial Services Tribunal ("the Tribunal") is operational. The application of certain transitional provisions in the FSRA is clarified. The intended purpose of the draft Regulations is to facilitate the smooth implementation of the Act, and the establishment of the financial sector regulators and the Tribunal.

The Minister of Finance is required to make Regulations in terms of section 61(4) of the FSRA, to provide a process for the selection of persons for the appointment of the Commissioner and Deputy Commissioners of the Financial Sector Conduct Authority. The draft Regulations provide for the advertising of the positions, and for the establishment of panels to consider, short-list, interview, and recommend candidates for appointment to the Minister of Finance. The intended effect of the draft Regulations is to provide for a fair and transparent process for the appointment of the Commissioner and Deputy Commissioners of the Financial Sector Conduct Authority.

Written comments on the draft Regulations should be submitted to commentdraftlegislation@treasury.gov.za by close of business on **31 January 2018**.

Any clarification questions can be directed to Jeannine Bednar-Giyose, email: Jeannine.Bednar-Giyose@treasury.gov.za.

KITSISISO E E LALETSANG TSHWAELO YA SETŠHABA MAPABI LE PHASALATSO YA THALO YA MELAWANA GO YA KA DIKAROLO 61(4) LE 305 TSA MOLAO WA TAOLO YA LEFHATA LA DITSHELETE, 2017

Tona ya Matlole o fa kitsiso jaaka go tlhokega go ya ka karolo 288(4) ya Molao wa Taolo ya Lephata la Ditshelete, 2017 (Molao, Nomoro. 9 ya 2017) ("FSRA") go laletsa tshwaelo ya setšhaba malebana le phasalatso ya thalo ya Melawana e e tshitsintsweng go diriwa go ya ka karolo 304 le 288 tsa FSRA

Kgatiso ya thalo ya Melawana le pegelo e e tlhalosang kutlwalo ya Molao di mo webesaeteng ya Lefapha la Matlole a Bosetshaba: www.treasury.gov.za

Karolo 304 ya FSRA, e naya Tona ya Matlole, maatla a go dira Melawana go tlamela mabapi le merero ya tlaleletso e e botlhokwa go tlamela tsenyotirisong e e maleba ya FSRA e e sa sekasiwang mo Molaong le go tlhongwa ga bolaodi jwa lephata la ditšhelete le ditheo tse dingwe tse di tshwanetseng go tlhongwa. Thalo ya Melawana e ikaelela go tlhalosa tiragatso ya dithata mabapi le Molao ka nako ya kgabaganyo pele ga go tlhongwa ga Bothati jwa Tlhokomelo le Bothati jwa Boitshwaro jwa Lephata la Ditšhelete ("bolaodi jwa Lephata la Ditšhelete"). Go lebeletswe gore thalo ya Melawana e, e tla nolofatsa tsenyotirisong ya Molao le go tlhongwa ga bolaodi jwa Lephata la Ditšhelete le Lekgotla la Tirelo ya Ditshele.

Tona ya Matlole o tlhoka go dira Melawana go ya ka karolo 61(4) ya FSRA, go tlamela mabapi le go tlhongwa ga Khomišenara le Batlatsakhomišenara ba Lephata la Ditšhelete. Thalo ya Melawana e, e tlamela mabapi le papatso ya diphatlatiro le go tlhongwa ga Panele go tsaya tsia, go tlhopa badirakopo, go nna le dipuisano le bone le go atlanegisa bakgethwa go Tona ya Matlole. Go lebeletswe gore thalo ya Melawana e tla tlamela dikgato tse di lolameng e bile di na le ponaletshego mo go tlhongweng ga Khomišenara le Batlatsakhomišenara ba Lephata la Ditšhelete.

Ditshwaelo tse di kwetsweng mabapi le thalo ya Melawana di tshwanetse go romelwa kwa commentdraftlegislation@treasury.gov.za ka **31 Ferikgong 2018**.

Dipotso tse di tlhokang tlhaloso di ka romelwa go Jeannine Bednar-Giyose mo; Jeannine.Bednar-Giyose@treasury.gov.za.