



FSCA FAIS Notice 60 of 2020

FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002

FORM AND MANNER OF REGISTRATION OF EXEMPTION OF CERTAIN PERSONS CONDUCTING FINANCIAL SERVICES RELATED BUSINESS WITH PRIVATE EQUITY FUNDS

The Financial Sector Conduct Authority hereby, in terms of paragraph 2(b) of the Notice on the Exemption of Certain Persons Conducting Financial Services Related Business with Private Equity Funds, 2012 (published by Board Notice 208 of 2012), prescribe that the registration for the exemption under that Notice must be submitted in the manner and in the format set out in the Schedule.

Repeal

The Form and Manner of Registration of Exemption of Certain Persons Conducting Financial Services Related Business with Private Equity Funds, as prescribed by the Authority on 9 July 2018, is hereby repealed.

CD da Silva
For the Financial Sector Conduct Authority

Date of publication: 12 August 2020

SCHEDULE

REGISTRATION OF EXEMPTION OF CERTAIN PERSONS CONDUCTING FINANCIAL SERVICES RELATED BUSINESS WITH A PRIVATE EQUITY FUND

Name of FSP

FSP number

1. General Notes

- (a) This registration form must be completed in full and must be submitted to the Financial Sector Conduct Authority *via* electronic mail to the following address:
FAIS.Exemptions@fsca.co.za
- (b) No changes may be made to the content or format of this form.
- (c) "Notice", for purposes of this form, means the Notice on the Exemption of Certain Persons Conducting Financial Services Related Business with Private Equity Funds, 2012 (published by Board Notice 208 of 2012 and amended by FAIS Notices 44 of 2014, 71 of 2015, 76 of 2016 and 15 of 2017 and FSCA FAIS Notice 37 of 2018).

2. Registration of Exemptions

Indicate the particular provision in respect of which the FSP requires registration.

- (a) Subparagraph 2(a)(i) of the Notice
*(Section 5(1)(c) of the Discretionary Code of Conduct in respect of mandates concluded **prior** to the date referred to in paragraph 4 of the Notice).*
- (b) Subparagraph 2(a)(ii) of the Notice
*(Section 5(1)(j) of the Discretionary Code of Conduct in respect of all mandates concluded **prior** to the date referred to in paragraph 4 of the Notice).*
- (c) Subparagraph 2(a)(iii) of the Notice
*(Section 5(1)(j) of the Discretionary Code of Conduct in respect of all mandates concluded **after** to the date referred to in paragraph 4 of the Notice provided clients, who in the aggregate have committed 75% of the capital to the private equity fund, have the right to terminate, for any reason whatsoever, the mandate of the provider after notice in writing of not more than 180 days).*
- (d) Subparagraph 2(a)(iv) of the Notice
(Sections 48(2) and 48(3) of the Determination of Fit and Proper Requirements, provided such provider renders financial services to one or more private equity funds only.

3. Membership

- (a) Is the FSP a member of the South African Venture Capital and Private Equity Association? Yes No
- (b) If no, please indicate the name of the private equity and venture capital industry body of which the FSP is a member.

4. Declaration

The declaration must be completed and signed by the key individual of the FSP.

I,, (name of key individual) declare that the FSP only renders financial services to one or more private equity funds and that the information provided in this form and annexures is correct.

.....
Signature

.....
Date