

## LEPPARD LEGISLATION WATCH

SEPTEMBER 2018

Welcome to a new format of the Leppard Legislation Watch newsletter. Going forward, the newsletter will be divided into two sections: Legislation that YOU need to be aware of, which may be analysed in some detail, and in the second section, legislation that YOUR CLIENTS may need to be aware of, which we will merely list. We trust that you will find this new format useful and informative.

### Legislation for YOU

#### Financial Advisory and Intermediary Services Act

A reminder that from 1 August 2018, an FSP and representative must complete the class of business training before rendering any financial service for a particular financial product; and a key individual must comply with class of business training requirements, before managing or overseeing the rendering of any financial service.

A reminder that the amendments to section 1 (definition of Ombud Council) and section 20 (office of the Ombud for Financial Service Providers) are set to commence on 1 October 2018.

#### Financial Sector Regulation Act

A reminder that the various amendments relating to the Ombud and Ombud Council are set to commence on 1 October 2018.

#### Insurance Act

The Insurance Act 2017 commenced on 1 July 2018, except for the repeal of certain sections in the Long-term Insurance Act, and the repeal of sections 46, 47, 51, 53 and 54 of the Short-term Insurance Act. The new Insurance Act forms the legal framework for the prudential supervision of insurers.

## Legislation for YOUR CLIENT

### Companies Act

A reminder that as from 1 July 2018, companies required to submit annual financial statements in terms of section 30 (annual financial statements) of the Companies Act and regulation 30 (company annual returns) must lodge such statements using extensible business report language (XBRL).

### Various Taxation Acts Amendment Bills

A number of amendment Bills have proposed various amendments to their provisions. These include the Tax Administration Amendment Bill (interesting amendments include removing directors of private companies from the Fourth Schedule employee definition, for purposes of the Fourth Schedule; and deeming a non-executive director to be an employee for purposes of a Seventh Schedule taxable benefit so that the non-executive director will have to pay PAYE on such benefit), the Taxation Laws Amendment Bill (which changes the definition of a Financial Instrument to include cryptocurrency, the Tax Administration Laws Amendment Bill and amendments to the Value-Added Tax Act.

***Leppard Legislation Watch** is a monthly newsletter providing selected updates on legislation which could have an impact on the business of Leppard Underwriting and its clients. **Leppard Legislation Watch** is not intended as legal or professional advice and is published for general information purposes only. This newsletter is not a substitute for legal or other professional advice.*