
Some examples of legislation in South Africa that contain certain reporting requirements

(Information originally used in the SAICA 2017 NOCLAR Seminar)

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- *The information provided in this document does not constitute legal advice and should be read in that context.*
- *This document does not serve as a complete list of legislation and reporting requirements that may be applicable to a CA(SA) or AGA(SA) in public practice or in business. Its purpose is to provide some examples of legislation in South Africa that contain certain reporting requirements in the context of the SAICA 2017 NOCLAR Seminar.*
- *This document is not a substitute for any laws and regulations that are relevant to the business of any particular entity, or to the CA(SA) or AGA(SA) for purposes of performing a given engagement, or in relation to his or her role within an employing organisation. Furthermore, it is not a substitute for the Pronouncements of the Independent Regulatory Board for Auditors (IRBA), as well as those issued by the International Ethics Standards Board for Accountants (IESBA) and the International Auditing and Assurance Standards Board (IAASB).*
- *It is possible that legislation referred to and the content may change from time to time. The list of regulatory requirements is also not exhaustive and in no way represents all applicable reporting requirements. Readers are advised to consult the full text of the legislation for further information.*

The SAICA Code of Professional Conduct (the Code) includes, amongst other sections, section 225 and section 360 that address *Responding to Non-Compliance with Laws and Regulations* for SAICA members and associates in public practice and in business, respectively.

Section 225 and section 360 set out the approach to be taken by a SAICA member or associate who encounters or is made aware of non-compliance or suspected non-compliance with:

- Laws and regulations generally recognised to have a direct effect on the determination of material amounts and disclosures in the client's or in the employing organisation's financial statements; and
- Other laws and regulations that do not have a direct effect on the determination of the amounts and disclosures in the client's or in the employing organisation's financial statements, but compliance with which may be fundamental to the operating aspects of

the client's or of the employing organisation's business, to its ability to continue its business, or to avoid material penalties.

Sections 225.6 and 360.6 continue to provide examples of the types of laws and regulations which the Code addresses.

The Table that commences on the next page provides some examples of legislation in South Africa of laws and regulations that deal with the topics referred to in sections 225.6 and 360.6 of the Code and highlights certain reporting requirements which may relate to an obligation to report non-compliance under that legislation, or which may relate to the obligation to report identified incidents or events that are not related to non-compliance per se; however a failure to report such incidents or events would represent an instance of non-compliance. The following topics are addressed (as referred to in the Code):

The 16 Acts listed below are included in alphabetical order in the Table that commences on page 4.

	<u>No. in Table</u>
<i>Fraud, corruption, bribery, money laundering, terrorist financing and proceeds of crime</i>	
▪ Financial Intelligence Centre Act, No. 38 of 2001 (FICA)	4
▪ Prevention and Combatting of Corrupt Activities Act, No. 12 of 2004 (PRECCA)	12
▪ Promotion of Constitutional Democracy Against Terrorist and Related Activities Act, No. 33 of 2004 (POCDATARA)	13
<i>Securities markets and trading</i>	
▪ Financial Markets Act, No. 19 of 2012	5
<i>Banking and other financial products and services</i>	
▪ Banks Act, No. 94 of 1990	1
▪ Financial Advisory and Intermediary Services Act, No. 37 of 2002 (FAIS)	3
▪ National Credit Act, No. 34 of 2005	7
▪ Short-term Insurance Act, No. 53 of 1998	15
<i>Data protection</i>	
▪ Protection of Personal Information Act (POPI), No. 4 of 2013	14
<i>Tax and pension liabilities and payments</i>	
▪ Pensions Funds Act, No. 24 of 1956	11
▪ Tax Administration Act, No. 28 of 2011 (TAA)	16
[Note: The TAA governs the disclosure obligations in respect of all tax Acts (in including the Income Tax Act 58 of 1962 (the Act) and the Value Added Tax Act 89 of 1991 (the VAT Act)) but excluding the Customs and Excise Act].	

No. in Table

Environmental protection

- National Environmental Management Act, No. 107 of 1998 8
- National Environmental Management Waste Act, No. 59 of 2008 9

Public health and safety

- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 (COIDA) 2
- Mine Health and Safety Act, No. 29 of 1996 6
- Occupational Health and Safety Act, No. 85 of 1993 10

Please note: The examples of specific legislation only relate to the examples of topics mentioned in sections 225.6 and 360.6 of the Code. **The following Acts are not included in the Table.** These Acts impose specific reporting requirements on the auditor, independent reviewer and accounting officer, respectively:

- Auditing Profession Act, No. 26 of 2005 [*for the Auditor*]
- Companies Regulations, 2011 [*for the Independent Reviewer*]
- Close Corporations Act, No. 69 of 1984 [*for the Accounting Officer*]

Readers can refer to the *SAICA Guide on Regulatory Reporting Duties (April 2016)* for further guidance in this regard (and relating to certain other legislation not included in the Table), which can be accessed on the [SAICA website](#).

Table commences on the next page \...

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	72, or is unable to comply with any such provision, or (b) a controlling company fails to comply with a provision of section 70A, or is unable to comply with any such provision, the bank or controlling company, as the case may be, shall forthwith in writing report its failure or inability to the Registrar, stating the reasons for such failure or inability.			
2. COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, NO 130 OF 1993				
Section 39	Subject to the provisions of this section an employer shall within seven days after having received notice of an accident or having learned in some other way that an employee has met with an accident, report the accident to the commissioner in the prescribed manner. “Accident” means an accident arising out of and in the course of an employee’s employment and resulting in a personal injury, illness or the death of the employee.	Employer	Accident	Compensation Commissioner
Section 68	An employee shall as soon as possible after the commencement of a disease referred to in section 65(1) of the Act give written notice thereof to his employer or to the employer where he was last employed and he may also give written notice to the commissioner. An employer shall within 14 days after having received such a notice or having learned in some way that an employee has contracted a disease referred to in section 65(1) report such disease to the commissioner or mutual association concerned.	Employee Employer	Section 65(1) disease Section 65(1) disease	Employer / Compensation Commissioner Compensation Commissioner

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
Section 80	An employer carrying on a business in the Republic shall within the prescribed period and in the prescribed manner register with the commissioner and furnish particulars of the business	Employer	Registration	Compensation Commissioner
Section 82	Subject to subsection 1(A) and employer, excluding employers referred to in section 84(1)(a) and (b) shall not later than the thirty first day of March each year furnish the commissioner with a return in the prescribed form with the information requested	Employer	Return submission	Compensation Commissioner
3. FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, NO 37 OF 2002 (FAIS)				
Section 17(4)(a)	A compliance officer or, in the absence of such officer, the authorised financial services provider concerned, must submit reports to the registrar in the manner and regarding the matters, as from time to time determined by the registrar by notice on the official web site for different categories of compliance officers	Compliance officer / authorised financial service provider	Reports including information determined by registrar	Registrar or Deputy Registrar of the Financial Services Board (FSB)
Section 19(2)(b)(iv)	Financial statements of the authorised financial services provider must be submitted by the authorised financial services provider to the registrar not later than four months after the end of the provider's financial year or such longer period as may be allowed by the registrar.	Authorised financial service provider	Audited financial statements	Registrar or Deputy Registrar of the Financial Services Board
Section 19(3)	The authorised financial services provider must maintain records in accordance with subsection (1)(a) in respect of money and financial products held on behalf of clients, and must, in addition to and simultaneously with the financial statements referred to in subsection (2),	Authorised financial service provider	Report by auditor	Registrar or Deputy Registrar of the Financial Services Board

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p>submit to the registrar a report, by the auditor who performed the audit, which confirms, in the form and manner determined by the registrar by notice on the official web site for different categories of financial services providers:</p> <ul style="list-style-type: none"> • the amount of money and financial products at year end held by the provider on behalf of clients; • that such money and financial products were throughout the financial year kept separate from those of the business of the authorised financial services provider, and report any instance of non-compliance identified in the course of the audit and the extent thereof; and • any other information required by the registrar. 			
Section 19(4)	The auditor of an authorised financial services provider must report to and inform the registrar in writing of any irregularity or suspected irregularity in the conduct or the affairs of the authorised financial services provider concerned of which the auditor became aware in performing functions as auditor and which, in the opinion of the auditor, is material.	Auditor	Irregularity or suspected irregularity	Registrar or Deputy Registrar of the Financial Services Board
Section 19(7)	A financial services provider may not change a financial year end without the approval of the registrar, but despite the approval required, the approval of the registrar is not necessary where a change of a financial year end has been approved by another regulatory authority, other than the Companies and Intellectual Property Commission, regulating the financial soundness of the provider. Where a change of a	Financial services provider	Change in year end	Registrar or Deputy Registrar of the Financial Services Board

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	financial year end was approved by another regulatory authority as is contemplated in paragraph (b), the provider must inform the registrar of that approval within 14 days of the approval being granted.			
4. FINANCIAL INTELLIGENCE CENTRE ACT, NO 38 OF 2001 (FICA)				
Section 28	An accountable institution and a reporting institution must, within the prescribed period, report to the Centre the prescribed particulars concerning a transaction concluded with a client if in terms of the transaction an amount of cash in excess of the prescribed amount- (a) is paid by the accountable institution or reporting institution to the client, or to a person acting on behalf of the client, or to a person on whose behalf the client is acting; or (b) is received by the accountable institution or reporting institution from the client, or from a person acting on behalf of the client, or from a person on whose behalf the client is acting.	Accountable Institution / Reporting Institution	Cash transactions exceeding R24 999 Regulation 22B	Financial Intelligence Centre
Section 28A	An accountable institution which has in its possession or under its control property owned or controlled by or on behalf of, or at the direction of: - any entity which has committed, or attempted to commit, or facilitated the commission of a specified offence as defined in the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004; or - a specific entity identified in a notice issued by the President, under section 25 of the Protection of	Accountable Institution	Property associated with terrorist and related activities	Financial Intelligence Centre

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	Constitutional Democracy against Terrorist and Related Activities Act, 2004, must within the prescribed period report that fact and the prescribed particulars to the Centre.			
Section 29	<p>A person who carries on a business or is in charge of or manages a business or who is employed by a business and who knows or ought reasonably to have known or suspected that—</p> <p>(a) the business has received or is about to receive the proceeds of unlawful activities or property which is connected to an offence relating to the financing of terrorist and related activities;</p> <p>(b) a transaction or series of transactions to which the business is a party—</p> <p>(i) facilitated or is likely to facilitate the transfer of the proceeds of unlawful activities or property which is connected to an offence relating to the financing of terrorist and related activities;</p> <p>(ii) has no apparent business or lawful purpose;</p> <p>(iii) is conducted for the purpose of avoiding giving rise to a reporting duty under this Act;</p> <p>(iv) may be relevant to the investigation of an evasion or attempted evasion of a duty to pay any tax, duty or levy imposed by legislation administered by the Commissioner for the South African Revenue Service;</p> <p>or</p>	A person who carries on, manages or is employed by a business	Suspicious and unusual transactions	Financial Intelligence Centre

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p>(v) relates to an offence relating to the financing of terrorist and related activities; or</p> <p>(c) the business has been used or is about to be used in any way for money laundering purposes or to facilitate the commission of an offence relating to the financing of terrorist and related activities must, within the prescribed period after the knowledge was acquired or the suspicion arose, report to the Centre the grounds for the knowledge or suspicion and the prescribed particulars concerning the transaction or series of transactions.</p>			
5. FINANCIAL MARKETS ACT, NO. 19 OF 2012				
Section 25(1)	<p>Any transaction in listed securities resulting in a change of beneficial ownership of those securities that is concluded outside of an exchange by</p> <p>(a) a financial institution referred to in section 24(c); or</p> <p>(b) a person referred to in section 24(d),</p> <p>must be reported by that financial institution or person, as the case may be, to the registrar.</p>	Financial institution	Beneficial ownership change as per section 24(c) or 24(d)	The executive officer referred to in section 1 of the Financial Services Board Act is the Registrar of Securities Services Exchange
Section 50(2)(b)	A licenced clearing house must, as soon as it becomes aware thereof, inform the registrar of any matter that it reasonably believes may pose systemic risk to the financial markets;	Licenced clearing house	Systemic risk	Registrar
Section 52(2)(o)	A licenced clearing house must provide for the steps to be taken by the clearing house, or a person to whom the clearing house has delegated its investigative and	Licenced clearing house	Report on disciplinary proceedings	Registrar

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	disciplinary functions, to investigate and discipline a clearing member or officer or employee of a clearing member who contravenes or fails to comply with the clearing house rules, the interim clearing house rules or the clearing house directives and for a report on the disciplinary proceedings to be furnished to the registrar within 30 days after the completion of such proceedings;			
Section 50(3)	A licenced clearing house must supervise compliance with this Act by its clearing members, report any non-compliance to the registrar and assist the registrar in enforcing this Act	Licenced clearing house	Non-compliance	Registrar
Section 69	Within four months after the financial year-end of a market infrastructure, that market infrastructure must submit to the registrar an annual report containing the details prescribed by the registrar and audited annual financial statements that fairly present the financial affairs and status of the market infrastructure.	Market infrastructure	Annual report	Registrar
Section 91(4)	When the auditor of a regulated person furnishes copies of a report contemplated in section 45(1)(a) and (3)(c) of the Auditing Profession Act, the auditor must, despite any contrary law, also furnish a copy thereof to the registrar, if the auditor is the auditor of a market infrastructure, or to the exchange, central securities depository, or independent clearing house in question, if the auditor is the auditor of an authorised user, participant or clearing member of an independent clearing house	Auditor	Report of a reportable irregularity	Registrar Central securities depository Independent clearing house
Section 91(6)	An auditor must inform the registrar or the exchange,	Auditor	Any matter which is in	Registrar

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	central securities depository or independent clearing house, as the case may be, in writing of any matter relating to the affairs of the regulated person of which the auditor became aware in the performance of the auditor's functions and which, in the opinion of the auditor, is irregular or may prejudice the regulated person's ability to meet its liabilities at all times.		the opinion of the auditor is irregular or may prejudice the regulated person's ability to meet its liabilities	Central securities depository Independent clearing house
6. MINE HEALTH AND SAFETY ACT, NO 29 OF 1996				
Section 2A	The employer must inform the Chief Inspector of Mines in writing within seven days of the appointment of the chief executive officer	Employer	Appointment of CEO	Chief Inspector of Mines
Section 10(5)	All mines must submit a workplace skills plan and the annual training reports to the Mining Qualifications Authority	Mine	Workplace skills plan and annual training report	Mining Qualifications Authority
Section 11	Employer must deliver copy of investigations report within 30 days of accident / illness. The employer must notify the Principal Inspector of Mines of any accident or occurrence at the mine that results in serious injury, illness or death	Employer	Investigations report	Principal Inspector of Mines
Section 13	Employer must inform Principal Inspector of Mines of appointment of occupational medical practitioner	Employer	Appointment	Principal Inspector of Mines
Section 14	Employer must deliver a copy of the relevant part of records kept in terms of S14(1) when an employee whose name appears in that record ceases to be employed a that mine or when required	Employer	Records in terms of S14(1)	Medical Inspector

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
Section 16	Every occupational medical practitioner at a mine must compile an annual report covering employees at that mine, giving an analysis of the employees' health based on the employees' record of medical surveillance, without disclosing the names of the employees. Copies of the report must be delivered to specific authorities	Medical practitioner	Analysis of health	Health and Safety Committee Medical inspector
Section 64	After completing an investigation, an inspector must prepare a written report of the findings, recommendations and any remedial steps.	Inspector	Report on findings	Chief Inspector of Mines Employer Health and Safety Representative Health and Safety Committee Trade union Employee
Section 72	A person presiding at an inquiry must submit a copy of the report	Person presiding at inquiry	Report on findings	Chief Inspector of Mines Employer Health and Safety Representative Health and Safety Committee Trade union
7. NATIONAL CREDIT ACT, NO. 34 OF 2005				
Section 18	The National Credit Regulator (NCR) must report to the	NCR	Refer to section	Minister

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	Minister annually on the volume and cost of different types of consumer credit products, and market practices relating to those products; and the implications for consumer choice and competition in the consumer credit market;			
Section 86	On receipt of an application for debt review a debt counsellor must notify all credit providers that are listed in the application and every registered credit bureau.	Debt counsellor	Request for debt review	Credit providers and credit bureau
Regulation 67 and 68	A credit provider must require the person appointed in terms of regulation 67 to perform an assurance engagement in accordance with guidelines to be issued by the National Credit Regulator and issue a report to the National Credit Regulator on the basis of that person's findings with regard to that engagement	Auditor Accounting Officer Person appointed in terms of Regulation 67	Non-compliance with the Act Refer to the NCR Guideline	National Credit Regulator (NCR)
8. NATIONAL ENVIRONMENTAL MANAGEMENT ACT, NO 107 OF 1998				
Section 30(3)(d)	The Act requires that incidents are reported by persons responsible for the incident, the owner of any hazardous substance involved in the incident or persons in control of any hazardous substance involved in the incident at the time of the incident. Section 30(1)(a) defines <i>incident</i> as "an unexpected, sudden and uncontrolled release of a hazardous substance, including from a major emission, fire or explosion, that causes, has caused or may cause significant harm to the environment, human life or property."	Responsible person / owner of hazardous substance / person in control	Incidents	Director-General South African Police Services and relevant fire prevention service; Relevant provincial head of department or municipality All persons whose health may be affected by the incident

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
Section 30(5)	<p>The responsible person or, where the incident occurred in the course of that person’s employment, his or her employer, must, within 14 days of the incident, report to such information as is available to enable an initial evaluation of the incident, including:</p> <ul style="list-style-type: none"> • the nature of the incident; • the substances involved and an estimation of the quantity released and their possible acute effect on persons and the environment and data needed to assess these effects; • initial measures taken to minimise impacts; • causes of the incident, whether direct or indirect, including equipment, technology, system, or management failure; and • measures taken and to be taken to avoid a recurrence of such incident. 	Responsible person / employer	Refer to section	<p>Director-General Provincial head of department and municipality</p>
9. NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, NO 59 of 2008				
Section 36(5)	An owner of land that is significantly contaminated, or a person who undertakes an activity that caused the land to be significantly contaminated, must notify the Minister and MEC of that contamination as soon as that person becomes aware of that contamination	Owner of land	Contamination	<p>Minister of the Department of Trade and Industry Member of Executive Council (“MEC”)</p>
10. OCCUPATIONAL HEALTH AND SAFETY ACT, NO 85 OF 1993				
Section 24	Each incident occurring at work or arising out of or in	Employer	Refer to section	Inspector (of the

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p>connection with the activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which:</p> <ul style="list-style-type: none"> • any person dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he is likely either to die or to suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or to continue with the activity for which he was employed or is usually employed; • a major incident occurred; or • the health or safety of any person was endangered and where: <ul style="list-style-type: none"> (i) a dangerous substance was spilled; (ii) the uncontrolled release of any substance under pressure took place; (iii) machinery or any part thereof fractured or failed resulting in flying, falling or uncontrolled moving objects; or (iv) machinery ran out of control, <p>shall, within the prescribed period and in the prescribed manner, be reported to an inspector by the employer or the user of the plant or machinery concerned, as the case may be.</p>			Department of Labour)
Section 25	Any medical practitioner who examines or treats a	Medical	Refer to section	Employer

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p>person for a disease described in the Second Schedule to the Workmen's Compensation Act, 1941 (Act 30 of 1941), or any other disease which he believes arose out of that person's employment, shall</p> <ul style="list-style-type: none"> • within the prescribed period and in the prescribed manner report the case to the person's employer and to the chief inspector, • and inform that person accordingly 	practitioner		Chief Inspector Employee
11. PENSION FUNDS ACT, No. 24 of 1956				
Section 9(4)	An auditor of a fund must within 21 days of his or her appointment being terminated, other than in accordance with section 8 (5), submit a written report to the registrar detailing the auditor's perceived reasons for the termination; if the auditor, but for the termination referred to in paragraph (a), would have had reason to submit a report contemplated in section 45 (3) of the Auditing Profession Act 2005, submit such a report to the registrar; and on becoming aware of any matter relating to the affairs of the pension fund, which, in the opinion of the auditor, may prejudice the fund or its members, inform the registrar thereof in writing.	Auditor	Refer to section.	Registrar of Pension Funds
Section 15	Subject to the provisions of subsection (4), every registered fund shall, within six months as from the expiration of every financial year, furnish to the Registrar the statements in regard to its revenue, expenditure and financial position as may be prescribed, duly audited and reported on by the auditor of the fund.	Registered fund	Refer to section	Registrar of Pension Funds

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p>Every registered fund shall, when furnishing to the registrar the documents referred to in subsection (1), also furnish to the registrar:</p> <ul style="list-style-type: none"> • a copy of any special report by the auditor relating to any of the activities of the fund during the financial year to which such documents relate; • a copy of any annual report that the fund may have issued to its members or shareholders in respect of the said financial year; and • a copy of any other statement that the fund may have presented to its members or shareholders in respect of any of its activities during such financial year. 			
12. PREVENTION AND COMBATING OF CORRUPT ACTIVITIES ACT, NO 12 OF 2004 (PRECCA)				
Section 34	<p>Any person who holds a position of authority and who knows or ought reasonably to have known or suspected that any other person has committed an offence under Part 1, 2, 3 or 4, or section 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2; or the offence of theft, fraud, extortion, forgery or uttering a forged document, involving an amount of R100 000 or more, must report such knowledge or suspicion or cause such knowledge or suspicion to be reported to the police official in the Directorate for Priority Crime Investigation referred to in section 17C of the South African Police Service Act, 1995.</p>	Person who holds position of authority	Fraud , Theft, Corruption > R100 000	Directorate for Priority Crime Investigation referred to in section 17C of the South African Police Service Act,1995

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p><i>Persons who hold positions of authority</i> are listed in section 34(4) of PRECCA and include the manager, secretary or a director of a company as defined in the Companies Act, any partner in a partnership, the executive manager of any bank or financial institution or any person responsible for the overall management and control of the business of an employer.</p>			
13. PROTECTION OF CONSTITUTIONAL DEMOCRACY AGAINST TERRORISM AND RELATED ACTIVITIES ACT, NO 33 OF 2004 (POCDATARA)				
Section 12	<p>Any person who—</p> <ul style="list-style-type: none"> -has reason to suspect that any other person intends to commit or has committed an offence referred to in this Chapter; or -is aware of the presence at any place of any other person who is so suspected of intending to commit or having committed such an offence, must report as soon as reasonably possible such suspicion or presence, as the case may be, or cause such suspicion or presence to be reported to any police official. <p><u>Note:</u> The offences relate to terrorist activities including the finance of such activities and property related to such activities.</p>	Any person	Offences stipulated and relating to terrorist activities.	South African Police (SAP)
14. PROTECTION OF PERSONAL INFORMATION ACT, NO.4 OF 2013				
Section 21	The operator must notify the responsible party immediately where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised	Operator	Compromise of a data subject's personal information	Responsible party

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	<p>person.</p> <p>“Operator” means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.</p> <p>“Responsible party” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.</p>			
Section 22	<p>Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, the responsible party must notify—</p> <p>(a) the Regulator; and</p> <p>(b) subject to subsection (3), the data subject, unless the identity of such data subject cannot be established.</p>	Responsible party	Compromise of a data subject’s personal information	Information Regulator Data subject
Section 58	Information processing as contemplated in section 57(1) must be notified as such by the responsible party to the Regulator	Responsible party	Processing subject to prior authorisation (section 57)	Information Regulator
15. SHORT-TERM INSURANCE ACT, NO. 53 OF 1998				
Section 18	A short term insurer shall notify the Registrar in respect of every director or managing executive appointed by it or whose employment has been terminated or who has	Short term insurer	Refer to section	Registrar of Short Term Insurance

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
	resigned within 30 days after such appointment or resignation together with reasons.			
Section 19	The auditor must inform the Registrar in writing of any matter relating to the affairs of the short-term insurer of which the auditor became aware in the performance of the auditor's functions as auditor and which, in the opinion of the auditor, may prejudice the insurer's ability to comply	Auditor	Any matter which, in the opinion of the auditor, may prejudice the insurer's ability to comply with section 28 (1) of the Act.	Registrar of Short Term Insurance
Section 19 A	The statutory actuary of a short-term insurer shall submit to the Registrar, if his or her appointment is for any reason terminated, a statement of what he or she believes to be the reasons for that termination; and without delay, report in writing to the board of directors of the short-term insurer any matter relating to the business of the short-term insurer of which he or she becomes aware in the performance of his or her functions as statutory actuary and which, in his or her opinion, constitutes a contravention of section 28(1) or any other section of this Act relating to the duties of the statutory actuary, or in future may prejudice the short-term insurer's ability to comply with section 28(1) or any other section of this Act relating to the duties of the statutory actuary, which report must give a description of the matter and must include such other particulars as the statutory actuary considers appropriate: Provided that the report must be submitted without delay also to the Registrar where, in the opinion of the statutory actuary, the matter materially prejudices the insurer's ability to comply with any of these sections.	Statutory Actuary	Any matter which, in the opinion of the statutory actuary may prejudice the insurer's ability to comply with section 28 (1) of the Act.	Registrar of Short Term Insurance

Regulatory Requirement	Regulatory Reporting Duty (Note that more than one reporting duty may arise. Reporting under one regulatory requirement does not discharge obligations under another regulatory requirement/s if relevant.)	Who must report	What must be reported (Consult full text of sections for detail)	Appropriate Authority to which report should be made
16. TAX ADMINISTRATION ACT, NO 28 OF 2011				
Section 19	The Tax Ombud must report directly to the Minister, submit an annual report to the Minister within five months of SARS' financial year end and submit a report to the Commissioner quarterly or other intervals	Tax Ombud	Annual report Report	Minister Commissioner
Section 38	A participant in a reportable arrangement must submit a detailed description of all its steps and key features, a detailed description of the assumed tax benefits, names, registration numbers and registered addresses of all the participants, a list of agreements and a financial model that embodies its projected tax treatment	Participant as defined	Refer to section	SARS