

LEGAL NOTICE NO _____ OF 2008

THE INSURANCE ACT, 2005



(Act No. 7 of 2005)

THE INSURANCE REGULATIONS, 2008

(Under section 118)

In exercise of the powers conferred by section 118 of the Insurance Act, the Minister hereby makes the following Regulations –

Citation and commencement

1. These Regulations may be cited as the Insurance Regulations, 2008, and shall come into force on the 1st day of May, 2008.

Short Title and Interpretation

2. In these regulations, unless the context otherwise requires -

“Act” means the Insurance Act, 2005;

“Assets” means the total approved assets kept by an insurer and invested in terms of prescribed investment guidelines including total assets as per the balance sheet;

“Capital adequacy requirements” means requirements in terms of the amounts and suitable forms of capital that should enable an insurer to absorb significant unforeseen losses as determined by the Registrar in terms of these Regulations;

“Calendar quarter” means the three months ending March, June, September and December;

“Circular” means a notification issued by the Registrar instructing or advising the industry on matters related to the industry and any changes to such notices previously issued by the Registrar in terms of the Act;

“Directive” means an instruction issued and published in the Gazette by the Registrar to the industry stipulating and regulating the conduct of the industry;

“Financial statements” means audited accounting records of an insurer compiled on an annual basis;

“Investment manager” means a person or institution that provides investment management services and includes an asset manager;

“Liabilities” means total liabilities of an insurer consisting of general liabilities and policy liabilities;

“Market conduct standards” means governing standards relating to the business and general conduct of an insurer, a broker or another participant in the market;

“Market Value” means the value of an insurer’s assets as determined in terms of these Regulations;

“Principal Representative” means a person appointed pursuant to section 8 of the Act;

“Prudential Standards” means sound and judicious requirements relating to the financial ability of an insurer to meet its obligations under any unforeseeable circumstance;

“*Quarterly Returns*” means un-audited accounting records of an insurer compiled at the end of each calendar quarter;

“*Scheme*” includes any plan, programme of action, scheme of arrangement, merger, transfer or amalgamation of insurance business; and

“*Undesirable business practice*” means any practice of an insurer, a broker or an agent, which may be considered by the Registrar to be harmful to the good name of the insurance industry.

Application for registration/renewal of registration as an insurer

3. (1) The principal representative of a public company wishing to carry on insurance business in Swaziland shall apply for registration using form SIA1 of schedule 5 which shall be accompanied by -

- (a) a letter of the appointment of the principal representative as such; and,
- (b) the particulars referred to in form SIA 1A.

(2) The principal representative of a registered insurer wishing to carry on a class of business not currently authorised by the insurer’s license shall apply using form SIA 1B of schedule 5 which shall be accompanied by –

- (a) a detailed statement of assets and liabilities of the insurer; and,
- (b) such proposals as to the manner in which the applicant proposes to carry on the business, and such financial forecast and other documents and information as the registrar may require.

(3) An application for renewal of an insurance licence in Swaziland shall be made using form SAI 1C of schedule 5.

(4) Where the public company wishing to carry on insurance business in Swaziland is a subsidiary of a foreign insurer, the applicant shall, in addition to the requirements of paragraph (1) be accompanied by-

- (a) the audited financial statements in respect of the foreign insurer's last preceding financial year as submitted to the appropriate supervisory authority in accordance with the law relating to insurance in the country in which the foreign insurer's head office is situated;
- (b) a copy of a report of an actuary on the last investigation into the foreign insurer's financial position in which a valuation of its liabilities was made as submitted to the supervisory authority in accordance with the law in which the foreign insurer's head office is situated;
- (c) a certificate signed by the supervisory authority responsible for the enforcement of the law relating to insurance companies in the country in which the foreign insurer's head office is situated, indicating whether the applicant has consistently and is complying with that law; and,
- (d) a scheme for the transfer of any insurance business written in Swaziland by the foreign insurer to the applicant.

(5) The Registrar may in his discretion require the information referred to in paragraph (2) to be provided by the applicant in respect of any foreign insurer which has a financial interest in the applicant.

(6) The classes of business that anyone wishing to carry on insurance business may apply for are:

- (a) in case of short-term insurance business, as listed in terms of schedule 1;
or,
- (b) in case of long-term insurance business, as listed in terms of schedule 2

(7) Subject to section 7(2) and (3) of the Act anyone applying for registration as an insurer shall have capital that meets the requirements of the prudential standards as set out in the directives and circulars issued by the Registrar from time to time.

(8) If the Registrar is satisfied that all the requirements of the Act and these regulations have been complied with he shall issue a certificate using form SIA 2 of schedule 5.

(9) A licence issued in terms of this Regulation shall be renewable annually.

(10) An insurer who fails to renew a licence shall pay, in addition to any renewal fee imposed under these Regulations, a penalty of E5-000 for each day during which the insurer continued to operate without a licence.

Application for approval of auditor

4. (1) An application for approval of an auditor shall be made using form SIA 3 of schedule 5.

(2) If the Registrar is satisfied that the appointment of the auditor is not against the policyholders' interest he shall issue a certificate approving the appointment of the auditor using form SIA 4 of schedule 5.

Application for approval of and investigations by a valuator

5. (1) An application for approval of a valuator shall be made using form SIA 5 of schedule 5.

(2) If the Registrar is satisfied that the appointment of the valuator is justified and is not against the policyholders interest he shall issue a certificate approving the appointment of the valuator using form SIA 6 of schedule 5.

(3) Every long term insurer shall, at least once a year, cause its financial condition to be investigated and reported upon by a valuator, and shall deposit a copy of such a report with the registrar.

(4) The report of the valuator referred to in sub-regulation (3) shall be in accordance with the standards as set by the Actuarial Society of South Africa.

(5) Such investigation shall be made in respect of the position as at the expiry of each financial year, and such report shall be deposited with the registrar within twelve months from the close of that year.

Professional Indemnity and Fidelity Guarantee for Investment/Asset Managers

6. (1) A person who has no professional indemnity insurance and fidelity guarantee cover is prohibited from managing and investing assets on behalf of an insurer.

(2) An application for the approval of an investment or asset manager shall be made using form SIA 7 of schedule 5.

(3) If the Registrar is satisfied that the requirements on form SIA 7 and of the Act and these regulations have been complied with, the Registrar shall approve, register and issue the investment or asset manager with a certificate using form SIA 8 of schedule 5.

(4) Every investment or asset manager shall furnish the Registrar with a guarantee protecting the assets that it manages or invests on behalf of an insurer.

(5) The amount of the fidelity guarantee shall be not less than E 6,000,000, and if the guarantee is in the form of an insurance policy, it shall be ceded to the Registrar as a sole beneficiary.

(6) The amount of professional indemnity insurance shall not be less than E6,000,000 and shall be determined by, and be sufficient to cover for, the amount of the assets managed and invested by the investment or asset manager on behalf of an insurer.

(7) If the Registrar is aware that, in respect of any policy that has been ceded to the Registrar as a fidelity guarantee, the investment or asset manager is not performing or is negligent in performing its obligations under the policy which may result in the policy being void, the Registrar shall act against the investment or fund manager in order to ensure compliance and may require him to submit guarantees in the form of securities.

(8) The Minister may, on recommendation by the Registrar, from time to time revise this amount in terms of the prudent standards.

Prohibition against Insurer's share holding in a broker or agent

7. An insurer, any subsidiary of an insurer or any director of an insurer, shall not, directly or indirectly hold shares in the affairs of a broker or insurance agent.

Application for change of name

8. (1) An application for change of name shall be made using form SIA 9 of schedule 5.

(2) If the Registrar is satisfied that the change of the name applied for is not against the policyholders' interest he shall issue a certificate of change of name using form SIA 10 of schedule 5.

Application for amalgamation/scheme of arrangement /merger/take over/transfer of insurance business

9. (1) An application to amalgamate, merge, take over, scheme of arrangement, transfer one or more insurers, or otherwise to transfer insurance business from one insurer to another shall be made using form SIA 11 of schedule 5.

(2) Where an insurer that is a party to the amalgamation is a life insurer, or the business to be transferred includes life insurance business, each insurer concerned shall send each of its life policy holders-

- (a) a statement of the nature of the amalgamation or transfer indicating the benefits to the policy holder;
- (b) a summary of the material facts in the agreement for the amalgamation or transfer;
- (c) an abstract of each actuary's reports lodged with the Registrar; and,
- (d) an address at which copies of the documents lodged with the Registrar may be inspected.

(3) Where an insurer to be amalgamated conducts general insurance business, or where general insurance business is to be transferred, the insurers concerned shall send to the holders of policies other than life policies-

- (a) a written statement lodged with the Registrar, of the nature of the proposed amalgamation; and
- (b) written notices of an address at which a copy of the documents lodged with the Registrar may be inspected.

(4) If the Registrar is satisfied that policy holders or the insurance industry will not be disadvantaged by the amalgamation or transfer, he shall issue a certificate approving the amalgamation or transfer using form SIA 12 of schedule 5.

(5) After an insurer has complied with the scheme of amalgamation, the provisions of the Companies Act and any other provisions of the law as may be applicable, the scheme shall be lodged with the Registrar together with any other documentation required by him for the approval of the scheme.

(6) On receipt of the requisite evidence, the Registrar shall carry out an onsite inspection to ensure compliance with the provisions of these Regulations and the Act and as the case may be –

- (a) revoke the licence of a dissolved insurer, suspend or deregister the insurer; or
- (b) issue a licence to an amalgamated company as an insurer from the date of the amalgamation and approve any necessary licence amendments so as to authorize the transferee of any insurance business to engage in the appropriate classes of insurance business.

(7) If an amalgamation, take over, merger or transfer has taken place in terms of this regulation and the Act, the owner of a policy shall no longer have any claim against the transferor or dissolved insurer, as the case may be.

Submission of financial statements and returns

10. (1) Every insurer shall, within 3 months of the expiry of his financial year, submit to the Registrar-

- (a) a detailed income statement of his business using-
 - (i) form SIA 13 of schedule 5 for long term insurers; or
 - (ii) form SIA 13A of schedule 5 for short term insurers;
- (b) a detailed balance sheet of his business using -
 - (i) form SIA 14 of schedule 5 for long term insurers; or
 - (ii) form SIA 14 A of schedule 5 for short term insurers; and
- (c) financial statements prepared in accordance with International Financial Reporting Standards and audited in accordance with International Standards on Auditing.

(2) An insurer who contravenes sub regulation (1) shall be liable to a minimum administrative penalty to be imposed by the Registrar of thirty thousand Emalangeni (E30,000) plus an additional fine of fifteen thousand (E15-000) in respect of each day in which the offence continues.

Quarterly Returns

11. Every insurer shall within 30 days of the end of each calendar quarter submit to the Registrar a detailed unaudited quarterly return of his business using form SIA 15 of schedule 5 for long term insurance business and form SIA 15A of schedule 5 for short term insurance business.

Guidelines for the investment of insurer's assets

12. (1) Every insurer shall ensure that its assets are invested in a manner that complies with the criteria in Schedules 3 and 3A.

(2) Every insurer shall ensure that all assets acquired in Swaziland are deposited or invested through a locally registered institution or entity operating and administering assets in Swaziland and elsewhere in terms of Schedule 4.

(3) After the expiry of a period of 12 months after the commencement of this Act, every insurer shall ensure that a part of its assets as prescribed by the Minister in Schedules 3 and 3A is invested in the Kingdom of Swaziland.

(4) The Registrar shall, in his discretion, determine whether the assets kept by an insurer to comply with the provision of subparagraph (2) are acceptable and the Registrar may order an insurer to dispose of any of those assets if he does not consider suitable.

(5) Assets invested in a manner, which amounts to a scheme or arrangement or in the Registrar's opinion amounts to a scheme or arrangements for circumventing the provision of paragraph (2) shall not be considered acceptable assets.

(6) The assets of an insurer shall only be invested and managed by an institution in or originating in one or more of the countries listed in Schedule 4 which may be revised by the Registrar from time to time.

(7) Any institution which falls outside the authorisation contained in subparagraph (6) may apply to the Registrar for a special dispensation allowing it to invest and manage insurance assets.

(8) Any institution which manages or invests an insurer's assets, and is not authorised to do so, commits an offence and shall on conviction be liable in terms of the general penalties section 114 of the Act.

(9) An insurer shall satisfy itself that an institution is authorised in terms of subparagraph (9) before transferring any assets to that institution.

(10) Any person who acts contrary to the provision of paragraph (8) commits an offence and shall, on conviction, be liable to the general penalty in section 114 of the Act.

(11) The Registrar, in consultation with the Board, may amend these guidelines from time to time in line with prudential standards.

Inspections

13. The Registrar may, in the exercise of his functions, from time to time, conduct onsite inspections of the operations and affairs of any institution licensed under the Act.

Registrar's directives

14. (1) The Registrar in consultation with the Insurance Board may issue any directive in terms of section 118(2) of the Act, which shall be enforceable in a court of law.

(2) A person who acts in contravention of the Registrar's directives commits an offence and shall on conviction be liable to a penalty as contemplated in section 114 of the Act.

(3) The Registrar is hereby empowered by the Minister to issue directives prescribing the -

- (a) Registrar's guidelines for soliciting insurance business;
- (b) commission payable by insurers to Intermediaries;
- (c) statutory fees payable to the Office of the Registrar;
- (d) persons prohibited from carrying on insurance business;
- (e) code of conduct for insurance brokers;
- (f) levies payable by insurers and pension funds and Brokers;
- (g) undesirable business practices;

- (h) valuation of an insurer's assets;
- (i) code of conduct for insurers;
- (j) registration requirements (insurers, brokers and agents);
- (k) prudential standards and requirements;
- (l) market conduct standards and requirements; or
- (m) good corporate governance standards and practices.

Prohibition of reinsurance outside Swaziland

15. An insurer may not reinsure with any other insurer who is not registered in terms of the Act unless-

- (a) all possible reinsurance options in Swaziland have been exhausted; and,
- (b) the insurer has satisfied the registrar in writing that all possible reinsurance options or part thereof have been exhausted; and,

if the Registrar is satisfied that the insurer has met the requirements of this regulation, he shall, in writing grant the insurer, permission to reinsure outside Swaziland in the countries listed in schedule 4 and shall forthwith notify the registrar in writing within 30 days.

Prohibition on financial statements and returns in respect of reinsurance

16. The Registrar may prohibit an insurer from recognizing in its financial statements or returns any asset or any reduction of liabilities, or require that the amounts thereof be varied, in respect of reinsurance, any arrangement having the effect of reinsurance, or any other arrangement with another insurance company if, in the opinion of the Registrar-

- (a) there is a significant possibility that the insurer's counterparty or counterparties under such reinsurance or other arrangement may default on their obligations there under; or

- (b) the default of the insurer's counterparty or counterparties under such reinsurance or other arrangement would significantly increase the risk that the insurer is or is likely to be unable to meet its liabilities.

Complaints handling procedure

17. (1) A person wishing to lodge a complaint in terms of the Act against any person or persons in the industry, including the Registrar, relating to a power conferred or a duty imposed on the Registrar by or under the Act, shall submit such complaint in writing to the person or persons against whom the complaint is being made and shall send a copy thereof to the Registrar.

(2) A complaint shall be properly considered by the person against whom it has been lodged and replied to in writing within (30) days after the receipt thereof.

(3) If the complainant is not satisfied with the reply contemplated in paragraph (2) or if there is no response within 30 days after the lodging of the complaint the complainant may lodge a formal complaint with the Registrar, Insurance Board or the Adjudicator as the case may be.

(4) A formal complaint shall be attested to by the complainant under oath and shall specify the nature of the complaint using Form 1 of Schedule 6.

(5) A formal complaint shall be accompanied by supporting documents and be as near as may be in accordance with Form 1 of Schedule 6.

General Penalties

18. (1) A person who –

- (a) alters a certificate issued in terms of the Act or displays any such certificate that has expired, commits an offence and shall on conviction be liable to a fine not exceeding E2-000 or a term of imprisonment not exceeding 1 year;

- (b) fails to renew broker's license commits an offence and shall on conviction be liable to a fine not exceeding E100-000;
- (c) fails to display license commits an offence and shall on conviction be liable to a fine not exceeding E15-000;
- (d) fails to comply with a corrective instruction issued by the Registrar commits an offence and shall on conviction be liable –
 - (i) in the case of an insurer to a fine not exceeding E50-000; or
 - (ii) in the case of a broker or agent to a fine not exceeding E20-000.
- (e) fails to comply with a directive issued by the Registrar commits offence and shall on conviction be liable –
 - (i) in the case an insurer to a fine not exceeding E100-000; or
 - (ii) in the case of a broker or agent to a fine not exceeding E50-000; or,
- (f) fails to file any return as provided for in the Act, these Regulations or the Directives, shall be liable to a minimum penalty, if not specifically provided for elsewhere, ten thousand emalangeni (E10-000) plus an additional fine of five thousand (E5-000) in respect of each day in which the offence continues.

(2) The Registrar may recover cost related to investigations and litigation against an insurer or broker who is convicted of an offence under this Act or these Regulations.

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****CLASSES OF BUSINESS OF SHORT-TERM INSURANCE BUSINESS**

1. Liability insurance business which means a contract in terms of which a person, in return for a premium, undertakes to provide policy benefits if an event contemplated in the contract as a risk relating to the incurring of a liability occurs in case of -
 - (a) Marine – liability for ships for damages arising from or in connection with the use of vessels at sea or on inland waters, including third party risks and carriers liability, and against the risk of pecuniary loss to the person insured in case of incurring of legal costs (including costs of litigation);
 - (b) Aviation – liability for aircraft for damages arising from or in connection with the use of aircraft, including third party risks and carriers liability and aerodrome liability, and against the risk of pecuniary loss to the person insured in case of incurring of legal costs (including costs of litigation);
 - (c) Commercial Lines - liability for motor vehicles for damages arising from or in connection with the use of vehicle, excluding railway rolling stock, but including third party risks, carriers liability and risk of pecuniary loss to person insured due to incurring legal (including litigation costs);
 - (d) Miscellaneous - general liability against risks other than risks covered aviation, marine and commercial lines and personal lines of a person insured incurring liability to third parties;
 - (e) Personal Lines – insurance contracts primarily designed to cover the interests of any natural person against –

Schedule 1

continued

- (i) liability for motor vehicles for risks arising from the use and possession of such vehicle, third party risks, passengers liability and the risk of pecuniary loss to the person insured in case of the incurring of legal costs (including litigation costs); or,
- (ii) other risks, not being risks associated with motor vehicle risks, of the person insured incurring liability to third parties

2. Motor insurance business - means the business whereby an insurer undertakes in return for a premium to provide policy benefits if an event contemplated in the contract as a risk relating to the use, possession or ownership of a motor vehicle occurs in case of:

- (a) Commercial Lines – Land vehicles - insurance contracts against loss of or damage to vehicles used on land, including motor vehicles, but excluding railway rolling stock
- (b) Personal Lines – insurance contracts primarily designed to cover the interests of any natural person against loss of or damage to any motor vehicle used on land

3. Property insurance business – means a business in terms of which a person, in return for a premium undertakes to provide policy benefits if an event, contemplated in the contract as a risk and related to the use, ownership, loss or damage to movable or immovable property occurs in case of:

- (a) Fire - Fire and natural forces - insurance contracts against loss of or damage to property other than aircraft, marine, goods in transit and property covered under Personal Lines as a result of fire and natural forces
- (b) Aviation – Aircraft - insurance contracts to cover aircraft or the machinery, tackle, furniture or equipment of the aircraft

Schedule 1

continued

(c) Marine – Ships insurance contracts to cover upon vessels used at sea or on inland waters or upon the machinery, tackle, furniture, equipment

(d) Miscellaneous -

(i) Damage to property - insurance contracts against loss of or damage to property other than property covered under fire, aviation, marine and personal lines as a result of any event.

(ii) Expropriation and confiscation of property - insurance contract against loss of or damage to property or risks of loss as a result of expropriation or confiscation.

(iii) Personal Lines - insurance contracts primarily designed to cover the interests of any natural person against loss or damage to immovable and movable property as well as specified property as a result of fire, explosion, storm, water and certain natural forces, excluding the risks riot, strike, war and nuclear energy, accidental incident or any other unforeseeable event;

4. Transportation insurance business - means a business in terms of which a person, in return for a premium, undertakes to provide policy benefits if an event contemplated in the contract as a risk relating to the possession, use or ownership of a vessel, aircraft or other craft for the conveyance of goods by air, land or water, or to the storage, treatment or holding of goods so conveyed or to be so conveyed occurs in case of:

(a) Goods in transit - insurance contract against loss of or damage to merchandise, baggage or any other goods in transit by any means of conveyance;

(b) Railway rolling stock - insurance contracts against loss of or damage to railway rolling stock; and,

(c) Marine – Ships insurance contracts to cover cargo transported by vessels.

Schedule 1

continued

5. Accident and Health insurance business - means a business in terms of which, in return for a premium, a person undertakes to provide policy benefits in case of a disability event, health event or death event:

- (a) Miscellaneous
- (b) Personal Accident - Insurance contracts providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both) against risks of the person insured –
 - (i) sustaining injury as a result of any accident or an accident of a specific class;
 - (ii) dying as a result of any accident or an accident of a specific class;
 - (iii) becoming incapacitated as a result of any disease or a disease of a specific class, including industrial injury and occupational disease.
- (c) Sickness - insurance contracts providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both) against risks related to sickness or infirmity
- (d) Personal Lines – insurance contracts primarily designed to cover the interests of any natural person against risks of the person insured –
 - (i) sustaining injury as a result of any accident or an accident of a specific class;
 - (ii) dying as a result of any accident or an accident of a specific class; or,

Schedule 1

continued

(iii) becoming incapacitated as a result of any accident or disease and providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both)

6. Engineering insurance business - means a business whereby an insurer in return for a premium promises to pay a policy benefit on the occurrence of an event specified as a risk in relation to:

- (a) the possession, use or ownership of machinery or other equipment other than a motor vehicle in the carrying on of a business;
- (b) the construction of any structure or other works;
- (c) the installation of machinery or equipment; or,
- (d) and shall include a reinsurance policy in respect of such a policy;

7. Guarantee insurance business - means the business whereby an insurer undertakes, in return for a premium to assume responsibility for payment of the debts of any person or to make good any obligations of that person in the event of the failure of that person to pay his debts or make good his obligations in case of:

- (a) Contracts against risks of loss to the person insured in case of such person entering guarantee contracts;
- (b) Contracts of fidelity bonds, performance bonds, administration bonds, bail bonds or custom bonds or similar contracts of guarantee; or,
- (c) Credit - contract against risks of loss to the person insured in case of insolvency of any debtor of such person or from the failure (other than through solvency) of any such debtor to pay his or her debt when due and payable.

Schedule 1

continued

8. Miscellaneous insurance business - means a business in terms of which a person, in return for a premium, undertakes to provide policy benefits if an event contemplated in the contract as a risk relating to any matter not otherwise defined in this Act occurs in case of:

- (a) Fire – Miscellaneous financial loss insurance contracts against any of the following risks:
 - (i) risks of loss to the person insured in case of business interruptions and reduction of scope of business;
 - (ii) risks of loss to person insured in case unforeseen expenses;
 - (iii) risks not covered in subsections (b) (i) or (ii) as well as those that will result in the insurer to register another class of business
- (b) Legal expenses - insurance contracts against risks of loss to the person insured in case of incurring of legal costs (including litigation costs)
- (c) Co-insurance - insurance contracts in respect of one or more of the other classes of short-term insurance business specified in this schedule.; and,
- (d) Any other desirable class of insurance business approved by the Registrar from time to time.

9. Workman's Compensation insurance business - means the business of providing compensation where compensation is as defined in the Workman's Compensation Act, 1983.

10. Funeral insurance business – means the business of providing or undertaking to provide funeral benefits as a supplementary benefit under another class of policies.

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****CLASSES OF BUSINESS OF LONG-TERM INSURANCE BUSINESS**

1. Fund insurance business – means the business of providing or undertaking to provide policy benefits under fund policies.
2. Life insurance business - means the business of providing or undertaking to provide policy benefits under life policies.
3. Funeral insurance business – means the business of providing or undertaking to provide policy benefits under funeral policies.
4. Sinking fund policies – means a contract other than a life in terms of which a person in return of a premium, undertakes to provide one or more sums of money on a fixed or determinable future date as policy benefits and includes reinsurance policy in respect of such a contract.
5. Accident and Health insurance business - means a business in terms of which, in return for a premium, a person undertakes to provide policy benefits in case of a disability event, health event or death event -
 - (a) Personal Accident - Insurance contracts providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both) against risks of the person insured –
 - (i) sustaining injury as a result of any accident or an accident of a specific class;

Schedule 2

continued

(ii) dying as a result of any accident or an accident of a specific class; or,

(iii) becoming incapacitated as a result of any disease or a disease of a specific class, including industrial injury and occupational disease, but excluding contracts referred to in subsection;

(b) Sickness - insurance contracts providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both) against risks related to sickness or infirmity

(c) Personal Lines – insurance contracts primarily designed to cover the interests of any natural person against risks of the person insured –

(i) sustaining injury as a result of any accident or an accident of a specific class;

(ii) dying as a result of any accident or an accident of a specific class; or,

(iii) becoming incapacitated as a result of any accident or disease and providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both).

6. Miscellaneous – means a business in terms of which a person, in return for a premium, undertakes to provide policy benefits if an event contemplated in the contract as a risk relating to exempt policies and to any matter not otherwise defined in this Act occurs.

7. Assistance Policy – means a life policy including funeral policy whereby the insurer undertakes in return for a premium to provide a lump sum payment not exceeding in total an amount prescribed not exceeding E50-000, by the Minister by regulation in respect of all policies of that class in the name of the insured, underwritten by the insurer on the death of the insured person .

8. Exempt Policy – means any long-term insurance policy contracted to prior to the Act and any long-term insurance policy for which an exemption certificate has been issued in terms of the Act.

Schedule 3

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

LOCAL INVESTMENT CRITERIA FOR LONG TERM INSURANCE

BUSINESS

Every long-term insurer shall ensure that at least 30% of its assets at market value are invested over a period of 3 years in increments of 10% in respect of the first year, 20% in respect the second year and 30% in respect of the third year, in the Kingdom of Swaziland as follows –

10% with effect from 1st November, 2007;

20% with effect from 1st November, 2008; and

30%.with effect from 1st November 2009.

Every insurer shall ensure that the assets of the company shall be invested in a manner which is in accordance with the following guidelines –

Item	Categories or kinds of assets	Maximum percentage of aggregate market value of total assets of insurer
1.	Deposits and balances with a registered deposit-taking institution including negotiable deposits, and money market instruments in terms of which such an institution is liable, paid-up shares of a mutual building society	50%
	(i) Per bank	10%
	(ii) Per mutual building society	30%
2.	Bills, bonds and securities issued or guaranteed by and loans to or guaranteed by -	100%
	(i) a local authority authorised by laws to levy rates upon immovable property - Per local authority	5%
Item	Categories or kinds of assets	Maximum percentage of aggregate market

		value of total assets of insurer
	(ii) Swaziland Water Services Corporation	30%
	(iii) Swaziland Electricity Company	30%
	(iv) Swaziland Posts and Telecommunications Corporation	30%
	(v) Any parastatal in which the government has a major shareholding	10%
	(vi) Government Bonds	100%
	(vii) Central Bank – treasury bills (long-term)	40%
4.	Immovable Property secured by mortgage bonds	15%
5.	Units in unit trust schemes in property shares and shares in, loans to and debentures, both convertible and non-convertible, of property companies:	30%
6.	Investment in a single property or property development project	20%
7.	Preference and ordinary shares in companies excluding shares in property companies. Convertible debentures, whether voluntarily or compulsorily convertible and units in equity unit trust schemes whose objective is to invest their assets mainly in shares. These investments are subject to the following limitations:	75%
	(i) Unlisted shares, unlisted convertible debentures and shares and convertible debentures listed in the Development Capital Sector	5%
	(ii) Shares and convertible debentures in a single listed company other than the Development Capital Sector:	
	(a) With a market capitalisation of E150 million or less	10%
	(b) With a market capitalisation of more than E150 million	15%
8.	Listed and unlisted debentures, units in a unit trust scheme with the objective to invest in income generating securities:	25%
9.	Any other assets not referred to in this Schedule excluding money in hand approved by the Registrar	2%

(continued)

LOCAL INVESTMENT CRITERIA FOR SHORT TERM INSURANCE BUSINESS

Every short-term insurer shall ensure that at least 30% of its assets at market value are invested over a period of 3 years in increments of 10% in respect of the first year, 20% in respect the second year and 30% in respect of the third year, in the Kingdom of Swaziland as follows –

10% with effect from 1st November, 2007;

20% with effect from 1st November, 2008; and

30%.with effect from 1st November 2009.

The insurer shall ensure that the assets of the company are invested in a manner, which is in accordance with the following guidelines.

Item	Categories or kinds of assets	Maximum percentage of aggregate market value of total assets of insurer
1.	Deposits and balances with a registered deposit-taking institution including negotiable deposits, and money market instruments in terms of which such an institution is liable, paid-up shares of a mutual building society	100%
	(i) Per bank	20%
	(ii) Per mutual building society	20%
2.	Bills, bonds and securities issued or guaranteed by and loans to or guaranteed by -	100%
	(i) local authorities authorised by laws to levy rates upon immovable property - per local authority	5%
	(ii) Swaziland Water Services Corporation	30%
	(iii) Swaziland Electricity Company	30%
	(iv) Swaziland Posts and Telecommunication Corporation	30%

Schedule 3

(continued)

Item	Categories or kinds of assets	Maximum percentage of aggregate market value of total assets of insurer
	(v) Any parastatal in which the government has a major shareholding	10%
3.	Immovable property secured by mortgage bonds	10%
4.	Units in unit trust schemes in property shares and shares in, loans to and debentures, both convertible and non-convertible, of property companies:	35%
5.	Investment in a single property or property development project	20%
6.	Preference shares in companies excluding shares in property companies. Convertible debentures, whether voluntarily or compulsorily convertible and units in equity unit trust schemes whose objective is to invest their assets mainly in shares. These investments are subject to the following limitations:	40%
	(i) Unlisted shares, unlisted convertible debentures and shares and convertible debentures listed in the Development Capital Sector	5%
	(ii) Shares and convertible debentures in a single listed company other than the Development Capital Sector:	
	(a) With a market capitalisation of E150 million or less	5%
	(b) With a market capitalisation of more than E150 million	10%
7.	Ordinary shares in companies excluding shares in property companies.	20%
8.	Listed and unlisted debentures, units in a unit trust scheme with the objective to invest in income generating securities:	25%
	(i) Claim against any single company	5%
9.	Any other assets not referred to in this Annexure, excluding money in hand approved by the Registrar	2%

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****FOREIGN INVESTMENT CRITERIA FOR LONG TERM INSURANCE BUSINESS**

Every long-term insurer shall ensure that the assets of the company which may be invested outside Swaziland in terms of the Act and the Regulations shall be invested in a manner which is in accordance with the following guidelines –

Item	Categories or kinds of assets	Maximum percentage of aggregate market value of total assets of insurer
1.	Deposits and balances with a licensed/registered deposit-taking institution including negotiable deposits, and money market instruments in terms of which such an institution is liable, and paid-up shares of a building society	50%
	(i) Per bank	10%
	(ii) Per building society	30%
2.	Bills, bonds and securities issued or guaranteed by and loans to or guaranteed by -	100%
	(i) a local authority authorised by law to levy rates upon immovable property -	
	Per local authority	5%
	(ii) Any parastatal in which the government has a major shareholding	10%
	(iii) Central Government Bonds	100%
	(iv) Government treasury bills (long-term)	40%
	(v) Central Bank debt instruments	40%
3.	Units in collective investment schemes in property shares and	30%

	shares in, loans to and debentures, both convertible and non-convertible, of property companies:	
4.	Preference and ordinary shares in companies excluding shares in property companies. Convertible debentures, whether voluntarily or compulsorily convertible and units in equity unit trust schemes whose objective is to invest their assets mainly in shares. These investments are subject to the following limitations:	75%
	(i) Unlisted shares, unlisted convertible debentures and shares and convertible debentures listed in the alternate Board.	5%
	(ii) Shares and convertible debentures in a single listed company other than the alternate Board:	
	(a) With a market capitalisation of E250 million or less	10%
	(b) With a market capitalisation of more than E250 million	15%
5.	Listed and unlisted debentures, units in a collective investment scheme with the objective to invest in income generating securities:	25%
6.	Any other assets not referred to in this Schedule excluding money in hand approved by the Registrar	2%

Schedule 3A continued

FOREIGN INVESTMENT CRITERIA FOR SHORT TERM INSURANCE BUSINESS

Every short-term insurer shall ensure that the assets of the company are invested in a manner, which is in accordance with the following guidelines-

Item	Categories or kinds of assets	Maximum percentage of aggregate market value of total assets of insurer
1.	Deposits and balances with a licensed/registered deposit-taking institution including negotiable deposits, and money market instruments in terms of which such an institution is liable, paid-up shares of a building society	100%
	(i) Per bank	20%
	(ii) Per building society	20%
2.	Bills, bonds and securities issued or guaranteed by and loans to or guaranteed by -	100%
	(i) local authorities authorised by laws to levy rates upon immovable property – per local authority	5%
	(ii) Any parastatal in which the government has a major shareholding	10%
	(iii) Government treasury bills	40%
	(iv) Central Bank debt instruments	40%
3.	Units in collective investment schemes in property shares and shares in, loans to and debentures, both convertible and non-convertible, of property companies:	35%
4.	Preference shares in companies excluding shares in property companies. Convertible debentures, whether voluntarily or compulsorily convertible and units in equity unit trust schemes whose objective is to invest their assets mainly in shares. These investments are subject to the following limitations:	40%
	(i) Unlisted shares, unlisted convertible debentures and shares and	5%

	convertible debentures listed in the alternate Board	
	(ii) Shares and convertible debentures in a single listed company other than the alternate Board:	
	(a) With a market capitalisation of E150 million or less	5%
	(b) With a market capitalisation of more than E150 million	10%
5.	Ordinary shares in companies excluding shares in property companies.	20%
6.	Listed and unlisted debentures, units in a collective investment scheme with the objective to invest in income generating securities:	25%
	(i) Claim against any single company	5%
7.	Any other assets not referred to in this Annexure, excluding money in hand approved by the Registrar	2%

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****APPROVED COUNTRIES**

For purpose of regulation 10, the following countries have been approved:

Country

Angola

Australia

Austria

Belgium

Botswana

Brazil

Canada

China

Denmark

France

Germany

Greece

India

Ireland

Italy

Japan

Lesotho

Mauritius

Mozambique

Namibia

The Netherlands

New Zealand

Norway

Portugal

Spain

South Africa

Swaziland

Sweden

Switzerland

Taiwan

United Kingdom

United States of America

Schedule 5

**KINGDOM OF SWAZILAND
OFFICE OF THE REGISTRAR OF INSURANCE**

FORMS

SIA 1	Application for registration as an insurer
SIA 1A	Particulars of Principal Representative/ Director
SIA 1B	Application for Approval to Provide and Additional Class of Insurance
SIA 1C	Application for Renewal of an insurer
SIA 2	Certificate of registration as an insurer
SIA 3	Application for approval of auditor
SIA 4	Confirmation of approval of auditor
SIA 5	Application for approval of valuator
SIA 6	Confirmation of approval of valuator
SIA 7	Application for approval of Investment or Asset Manager
SIA 8	Approval or Confirmation of Investment or Asset Manager
SIA 9	Application for change of name
SIA 10	Certificate of change of name
SIA 11	Application for amalgamation/transfer

SIA 12	Certificate of Approval of amalgamation/transfer
SIA 13	Long Term Insurance Income Statements
SIA 13 A	Short Term Insurance Income Statements
SIA 14	Long Term Insurance Business Balance sheet
SIA 14A	Short Term Insurance Business Balance sheet
SIA 15	Long Term Insurance Business Quarterly Returns
SIA 15 A	Short Term Insurance Business Quarterly Returns

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****APPLICATION FOR REGISTRATION AS AN INSURER**

The Registrar of Insurance,
Swaziland

1. I, the undersigned, being the Principal Representative of
hereby apply for the registration of the said company as an insurer in terms of section
4 or 6 of the Act (delete whichever is not applicable) to carry on the following classes
of insurance business in Swaziland:

- (a)
- (b)
- (c)
- (d)

2. Enclosed with this application are the following documents in duplicate and signed by
me.

- (a) certified copies of the Certificate of Incorporation, Memorandum and Articles
of Association;
- (b) a statement of the address of the company's principal office in Swaziland;
- (c) a statement of the name, address and nationality of the company's chairperson
and of every director and of its public officer in the Swaziland;
- (d) a statement showing -

Form SIA 1 continued

- (i) the proposed underwriting policy of the company/society;
 - (ii) particulars of proposed reinsurance arrangements;
 - (iii) the basis of premium rates;
 - (iv) the company's investment strategy and business plan;
 - (v) the amount of paid-up share capital and other available funds;
 - (vi) the company's corporate governance strategy;
 - (vii) the company's risk management strategy; and,
 - (viii) the company's audited financial statements.
- (e) a certificate by an actuary certifying the financial soundness of the company's intended business plan.
3. I hereby apply for approval of the use of the name as an abbreviation.(proof of the registration of the abbreviation with the Registrar General's office.)
4. Form SIA 3 is submitted herewith in duplicate.
5. Form SIA 5 is submitted herewith in duplicate.
6. The registration fee of as per RDI 10 is enclosed with this application
7. I enclose a list of the persons who are shareholders, Principal Representative and Directors of the company showing each persons interest in the company as per SIA 1A enclosed.

Form SIA 1 continued

8. Notes

.

.....

Principal Representative

Address

.....

Date

Note (1) The Registrar may require further information from an applicant (2)The registration form must be completed in full. (3) Any omissions must be explained in paragraph 8. (3) . Proof of the registration of the abbreviation with the Registrar Generals office.

SIA 1A**KINGDOM OF SWAZILAND****OFFICE OF THE REGISTRAR OF INSURANCE****CONFIDENTIAL****PARTICULARS OF PRINCIPAL REPRESENTATIVE AND DIRECTORS**

1. General

Name of Company:		Date Appointed:
Name of Principal Representative / Director:		Gender M/F:
Residential Address		
Business Address		
Citizenship:		Date & Place Of Birth
% Shareholding in the Company		
Designation & Description of Duties/Responsibilities		

2. Qualifications, Experience and Achievements

(a) Academic Qualifications:

Name of Institute	Country	Qualification	Year of Graduation

(b) Professional Qualifications: (State whether admitted by examination or experience)

Name of Professional Institute	Qualification	Class of Membership

Form SIA 1A continued

- (c) Working Experience: (Please enclose a separate attachment if necessary)

Name of Employer	Nature of Business	Designation & Description of Duties	Period	
			From	To

- (d) Achievements and special positions held presently or previously (please state date of achievement and period of special positions held).

3. Shareholdings and Directorships/Positions held in other companies

- (a) Do you have equity interest of 5% or more in any other companies? If so, please provide the following details:

Name of company & principal activity	Country of incorporation	Percentage held in the company

- (b) Are you also a director, partner, proprietor or employee in any other companies? If so, please provide the following details:

Name of company & principal activity	Country of incorporation	Position held in the company

(Please attach annexure(s), where appropriate, giving all relevant particulars if any of the answers to Questions 4-6 is yes.)

4. Have you ever been-

- (a) involved in any litigation over the past 5 years?

Form SIA 1A continued

- (b) convicted of any offence in Singapore or elsewhere or are there any proceedings now pending which may lead to such a conviction?
 - (c) adjudicated insolvent during the last ten years?
5. Have you ever been-
- (a) dismissed from office or employment, subject to disciplinary proceedings by your employer or been refused entry to any profession or occupation?;
 - (b) disqualified from acting as director or in the management of any company or organisation?;
 - (c) refused or have revoked a licence or authorisation to carry on any regulated financial business?; or
 - (d) subject to any censure or disciplinary action initiated by any governmental, regulatory or professional body?
- 6 Have you been associated with any company-
- (a) as a director, officer, manager or shareholder, which was investigated by any governmental, regulatory or professional body?; or
 - (b) which was compulsorily wound up during the last 10 years?

CERTIFICATION

I hereby certify, to the best of my knowledge and belief, that the information given in this form is complete, true and correct.

Date ----- Signature -----

SIA1B

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

APPLICATION FOR APPROVAL TO PROVIDE AN ADDITIONAL CLASS OF
INSURANCE

The Registrar of Insurance,
Swaziland

1. I, the undersigned, being the Principal Representative of
..... registered in terms of Section 6 of the
Insurance Act, hereby apply for approval of the said company, to provide the
following additional class(es) of insurance business in Swaziland:
 - (i)
 - (ii)
 - (iii)
 - (iv)
 - (v)
2. Enclosed with this application are the following documents which are signed by me.
 - (a) Revised Business plan and financial projections for the next three years (inclusive of the proposed new product of insurance)
 - (b) Provide a complete structure of the proposed product including premium rates and policy conditions
 - (c) Copy of current reinsurance agreement must be submitted

I hereby declare that all information given in this application (including annexes and appendices attached) is, to the best of my knowledge and belief, true and complete.

.....

Principal Representative

Form SIA 1B continued

Address.....

.....

Telephone.....

Fax:.....

Email

Date

Note: the application form must be filled in full. Any omissions must be explained in suitable annextures.

FORM SIA 1C

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

APPLICATION FOR RENEWAL OF REGISTRATION AS AN INSURER

APPLICATION IS HEREBY MADE FOR THE RENEWAL OF REGISTRATION
AS AN INSURER

1. Particulars of licence-
 - (a) Applicant's name:
 - (b) Licence No:
 - (c) Expiry date of licence:
2. Complete the following and answer "yes" or "no" in the space provided. If "yes", attach annexure(s) giving all relevant particulars.
 - (a) Since the last application has-
 - (i) there been a change in the shareholders of the applicant?
 - (ii) there been a change in the Applicant's director's, secretary, senior management personnel or external auditor?
 - (iii) the Applicant or any of its directors or its secretary been suspended from membership of any insurance institute or otherwise disciplined by an insurance institute?
 - (iv) any of the Applicant's directors been a director of any company other than those referred to in the last application?
 - (v) the Applicant taken any disciplinary action against any of its representatives?
 - (vi) the Applicant received any complaint against any of its representatives?.....

Form SIA 1C continued

- (vii) the Applicant undertaken to conduct any material new business activity? If so, state the nature of the activity.

.....

- (b) Furnish details of any other event which has occurred which is likely to have a significant effect on the Applicant's business during the currency of the licence if granted, including any legal claim against the Applicant.

.....

3. Attach a copy of the applicant's audited financial statements for each of the last 3 years.

4. I declare that to the best of our knowledge and belief all information given in this application and in the attached annexure(s) is true and correct.

5. The annual fee of E_____ is attached herewith.

Dated this _____ day of _____ 20 __

Signature:

 (Principal Representative)

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****CERTIFICATE OF REGISTRATION OF INSURER**

CERTIFICATE NO:

I hereby certify that in terms of sections 4 / 6 of The Insurance Act of 2005 that

.....

.....registration number

.....

has been registered as an Insurer in the Kingdom of Swaziland and is authorised to carry on the following classes of insurance business:

.....

.....

.....

..subject to the following condition(s)-

Approval is given for the use of the name as an abbreviation.

.....

Date

.....

Registrar of Insurance

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

APPLICATION FOR APPROVAL OF AUDITOR

1. I, the undersigned, being the Principal Representative of.....
registration no. hereby advise that

.....

(name of Auditor)

.....

(address of Auditor)

was provisionally appointed as auditor to the company as from

2. I hereby apply for your approval of this appointment in terms of section 47 of the Insurance Act, 2005.

.....

Principal Representative

.....

Date

Note: (1) A detailed curriculum vitae of the auditor must accompany this application and a copy of a Certificate of Registration as an auditor in terms of the Accountants Act, 1985. (2) The Registrar may require further information from an applicant

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****APPROVAL OF AUDITOR**

I hereby give my approval for the appointment of

.....

Name of Auditor

Address of Auditor

.....

.....

.....

as auditor to

_____ registration number

Name of Insurer

Date

Registrar of Insurance

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

APPLICATION FOR APPROVAL OF VALUATOR

1. I, the undersigned, being the principal representative of
(name of insurer)

registration number hereby advise that

.....
(name of valuator)

.....
(address of valuator)

was provisionally appointed as valuator of the company as from 20..

2. I hereby apply for your approval of this appointment in terms of section 48 of the Insurance Act, 2005.

.....
Principal Representative

.....
Date

Note: (1) A detailed curriculum vitae highlighting the qualifications and experience of the valuator must accompany this application. (2) The Registrar may require further information from an applicant

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****APPROVAL OF VALUATOR**

I hereby give my approval for the appointment of:

Name of valuator

Address of valuator

as Valuator to

_____ registration number

Name of Insurer

Date

Registrar of Insurance

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

APPLICATION FOR REGISTRATION OF AN INVESTMENT / ASSET MANAGER

1. I, _____ being the Principal Representative of
 _____ registration number _____ hereby make an application

for the registration of:

as an investment or asset manager;

[address of investment/asset manager]

(delete whichever is inapplicable)

2. Enclosed with this application are the following documents:

- (a) the resolution of the Board of Directors;
- (b) Proof of registration of the company;
- (c) Curriculum Vitae of the Principal Representative;
- (d) Statement of good standing;
- (e) Written confirmation – money laundering;
- (f) Police clearance;
- (g) List of countries in which the applicant carries on business;
- (h) Proof of Fidelity Insurance Cover;

Form SIA 7 continued

- (i) Proof of Professional Indemnity Cover;
- (j) Audited financial statements;
- (k) Financial projections;
- (l) Application fee;
- (m) Abbreviation

DATE

Chairperson/authorised representative

NOTE: A detailed *curriculum vitae* or profile of the fund manager must accompany this application.

Form SIA 8

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

CERTIFICATE OF REGISTRATION OF INVESTMENT / ASSET MANAGER

I hereby give my approval for the registration of

[name]

[address]

as an investment / asset manager

registration number _____ with effect from

_____ to _____

[date]

DATE

REGISTRAR OF INSURANCE

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****APPLICATION FOR CHANGE OF NAME**

I, the undersigned, being the principal representative of

_____ registration number
Name of Insurer

hereby apply for approval to change the name of the Insurer to

New name of Insurer

Approval is sought for the use of the name

as an abbreviation.

Date

PRINCIPAL REPRESENTATIVE

NOTE : (1) the application must be accompanied by a certificate of change of name issued by the Registrar of Companies. (2) proof of the registration of the new abbreviation with the Registrar Generals office.

KINGDOM OF SWAZILAND**OFFICE OF THE REGISTRAR OF INSURANCE****CERTIFICATE OF CHANGE OF NAME**

I hereby certify that in terms of section 10 of the Insurance Act, 2005.....

.....

.....

registration number

has changed its name to

.....

Approval is also granted for the use of the name _____ as an abbreviation.

Date

Registrar of Insurance

Form SIA 11

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

APPLICATION FOR AMALGAMATION/TRANSFER/ MERGER/TAKE
OVER OF INSURANCE BUSINESS

The Registrar of Insurance

1. I, ...the Principal Representative of
hereby apply for approval of
(amalgamation/transfer)
 between.....and

2. The prescribed application fee of.....is enclosed.

3. The place at which the applicant will carry on business
 is.....

4. The classes of insurance business of the applicant are

Signed at.....on this day of
20.....

.....

Principal Representative

Witnesses:

1.....

2.....

ANNEXURE 1 TO FORM SIA 11

Information required for amalgamation or transfer of insurance organizations

1. Administrative information

- (a) The postal, physical and electronic mail addresses of the proposed amalgamating entities / transferee head office at which it will receive all documents for the purpose of this application.
- (b) The telephone and facsimile numbers of the amalgamating entities / transferee and the principal representatives of each party.
- (c) A list that reflects the full names, addresses and telephone numbers of persons, if any, who alone or with associates will exercise control over the amalgamated entity / transferee as at the date of this application.
- (d) A list of the amalgamating entities, which reflects the names, physical and postal addresses, telephone and facsimile numbers of the -
 - (i) bankers;
 - (ii) auditors;
 - (iii) attorneys,
 - (iv) actuary and
 - (v) investment managers

The auditors and attorneys of the amalgamating or transferring entities must not withdraw their services during the process of amalgamation or transfer.

- (e) Resolutions and minutes of the amalgamating amalgamated entity / transferee, whether or not a regulated activity;

ANNEXURE 1 TO FORM SIA 11 continued**2. Details of –**

- (a) the expected constitution, structure and ownership of the proposed amalgamated entity / transferee, including its memorandum and articles of association and certificate of incorporation and any agreement between the amalgamated entity / transferee, its owners or other persons relating to its constitution or governance;
- (b) all business to be conducted by the amalgamated entity/ transferee, whether or not a regulated entity;
- (c) any persons providing professional support assistance and/or corporate finance advice or similar services (such as reporting accountants) to the amalgamated entity / transferee;
- (d) any relevant functions in relation to regulated business to be outsourced or delegated, with copies of relevant agreements;
- (e) information technology systems and or arrangements for their supply, management, maintenance, upgrading, and security;
- (f) the business continuity plans and disaster recovery plans in the event of disruption to the business of the amalgamated entity / transferee;
- (g) internal controls, risk management principles and procedures and reinsurance cover;
- (h) internal arrangements to safeguard confidential or privileged information and for handling conflicts of interest; expected changes for monitoring and enforcing compliance with its rules;
- (i) arrangements for detecting and preventing financial crime and market abuse, including arrangements for complying with money laundering legislation; and

ANNEXURE 1 TO FORM SIA 11 continued

- (k) Cancellation of any brokers and/or agents of the amalgamating or transferring parties.

ANNEXURE 2 TO FORM SIA 11

Documentation, statements and undertakings to be provided, if applicable, in support of the information supplied in Annexure 1 -

1. A curriculum vitae in respect of each member of the board of directors of the amalgamated entity / transferee indicating his or her relevant experience and training.
2. A statement signed by each member of the board of directors to the effect that he or she knows of no reason why he or she should not fulfil his or her term of office as a member of the board of directors.
3. Adequacy of management and human resources
 - (a) An explanation of the management structure of the amalgamated entity including the names of the individuals responsible for the major functional areas and the number of personnel employed in each functional area.
 - (b) A curriculum vitae in respect of each member of the management of the amalgamated entity who is responsible for a major functional area, which indicates his or her relevant experience and training.
 - (c) A Detailed business plan for the first three years of the operations as an amalgamated entity / transferee
4. A copy of -
 - (a) Audited annual financial statements of the amalgamating parties / transferor and transferee at the point of commencement of the scheme and/or passing of the resolutions for the passing of the scheme.
 - (b) the budgeted income statement, balance sheet and cash flow statement of the amalgamated entity / transferee for a three year period from the date of the latest annual financial statements.

ANNEXURE 2 TO FORM SIA 11 continued

5. A statement signed by the principal representative of the amalgamated entity / transferee specifying the critical assumptions made in the preparation of the amalgamated entity's / transferee's budgets and, in particular, the sources where the amalgamated entity / transferee will derive any further funding as outlined in terms of its business plan.
6. Where arrangements have been made for the funding of any temporary shortfall in available cash resources, the principal representative must provide a statement setting out the extent and terms of the commitment.
7. Copies of the quarterly management accounts for the current financial year of the amalgamating parties / transferor and transferee.
8. Insurance quarterly returns of amalgamating entities
9. Corporate Governance and risk strategies of the amalgamated entity / transferee.

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

**CERTIFICATE OF APPROVAL OF AMALGAMATION/TRANSFER OF
INSURANCE BUSINESS**

I hereby certify that in terms of section 55 of The Insurance Act, 2005,

.....(name of insurer) has been granted authority to

amalgamate / transfer its business to(name of new insurer) by

me with effect from.....

This approval is subject to being made an Order of Court.

Date.....

Insurance.....

Registrar of

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

LONG TERM INSURANCE BUSINESS – INCOME STATEMENTS
FOR THE YEAR ENDED _____

Name of Insurer: _____ -

Registration number: _____

	NOTES	CURRENT YEAR	PREVIOUS YEAR
Premiums Received		E	E
Insurance premiums revenue	1		
Less: Insurance premiums ceded to reinsurers		_____	_____
Net insurance premiums revenue			
Fee Income	2		
- Insurance contracts			
- Investment contracts			
Investment Income	3		
Net Realised gains on financial assets	4		
Net fair value gains on Financial Assets at fair value through income			
Other operating Income	5	_____	_____
NET INCOME (A)			
Insurance benefits	6		
Insurance claims and loss adjustment expenses	6		
Insurance claims and loss adjustment expenses recovered from reinsurers	6	_____	_____
Net Insurance benefits and claims			
Investment contracts benefits			
Expenses for the acquisition of insurance and investment contracts (commissions paid)	7,8		
Expenses for marketing and administration	7,8		

Other operating expenses	8	_____	_____
TOTAL EXPENSES (B)		_____	_____
RESULTS OF OPERATING ACTIVITIES (A-B)			
Less: Finance costs	9		
Share of profit / (loss) of associates	10		
		_____	_____
Profit before tax			
Taxation	11		
		_____	_____
PROFIT FOR THE YEAR		=====	=====

NOTES TO THE LONG TERM – INCOME STATEMENT

1. INSURANCE PREMIUMS with fixed and guaranteed terms

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Retirement fund annuity		
Linked business		
Group life premiums		
Individual life premium		
Endowment		
Other premiums (specify)		
Total premium income		

2. FEE INCOME

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Policy administration and asset management services:		
- Insurance contracts		
- Investment contracts (unit linked) without DPF		
- Investment contracts with DPF		
Surrender charges:		
- Insurance contracts		
- Investment contracts (unit linked) without DPF		
- Investment contracts with DPF		
Death benefits charges on long term insurance contracts -		
- without fixed terms (unit linked)		
- with DPF		
Total fee income		

3. INVESTMENT INCOME

	CURRENT YEAR	PREVIOUS YEAR
	E	E

Available for sale:		
- Dividend income		
- Interest income		
- Fair value gains of exchange trade currency fixtures		
- Fair value adjustments to available –for-sale debt securities attributable to currency risk		
- Other (specify)		
Held-to-maturity interest income		
Cash and cash equivalents interest income		
Total investment income		

4. NET REALISED GAINS ON FINANCIAL ASSETS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Realised gains on financial assets – available for sale:		
- Equity securities		
- Debt securities		
Realised losses on financial assets – available for sale:		
- Equity securities		
- Debt securities		
Impairment of financial assets		
TOTAL		

5. NET FAIR VALUE GAINS ON ASSETS AT FAIR VALUE THROUGH INCOME

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Net fair value gains on financial assets at fair value through Profit and Loss		

Fair value gains on investment property		
TOTAL		

6. INSURANCE BENEFITS AND CLAIMS

a) Insurance benefits

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Long term insurance contracts with fixed and guaranteed terms:		
- Death, maturity and surrender benefits		
- Increase in liabilities		
Long term insurance contracts without fixed and guaranteed terms (unit-linked):		
- Death benefits		
- Change in unit prices		
Long term insurance contracts with DPF (universal life)		
- Death benefits		
- Interest credited		
-		
Total cost of policyholder benefits		

6. INSURANCE BENEFITS AND CLAIMS (Continued)

b) Claims and loss adjustment expenses

	CURRENT YEAR			PREVIOUS YEAR		
	Gross	Reinsurance	Net	Gross	Reinsurance	Net
Current year claims and loss adjustment expenses						
Additional cost for prior year claims and loss adjustment expenses						
Increase in the expected cost of claims for unexpired risks						

Total claims and loss adjustment expenses						

7. OTHER EXPENSES BY DESTINATION

a) Expenses for the acquisition of insurance and investment contracts (commission)

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Amortisation of intangible assets		
Costs incurred for the acquisition of insurance contracts expensed in the year		
Costs incurred for the acquisition of investment contracts expensed in the year		
Total expenses for the acquisition of insurance and investment contracts		
<i>b) Marketing and administrative expenses</i>		
Marketing and administrative expenses		
Depreciation		
Costs relating to investment properties not let		
Total marketing and administrative expenses		

8. EXPENSES BY NATURE

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Depreciation, amortization and impairment charges		
Employee benefit expense		
Purchase of goods and services		
Operating lease rentals		
Software costs		
Other expenses (specify)		
Total expenses		

9. FINANCE COSTS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Interest expense:		
- Bank borrowings		
- Dividend on redeemable preference shares		
- Convertible bond	_____	_____
Net foreign exchange transaction (gains) / losses		
Fair value gains on derivatives associated with borrowing		
- Interest rate swaps, cash flow hedges, transfer from equity		
Other (specify)		
	_____	_____
Total	_____	_____

10. TAXATION

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Current tax		
Deferred tax (refer to relevant note)	_____	_____
	_____	_____

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

SHORT TERM INSURANCE BUSINESS – INCOME STATEMENTS
FOR THE YEAR ENDED _____

Name of Insurer: _____ -

Registration number: _____

	NOTES	CURRENT YEAR	PREVIOUS YEAR
Premiums Received		E	E
Insurance premiums revenue	11		
Less: Change in unearned premium provision		_____	_____
Insurance premiums revenue			
Less: Insurance premiums ceded to reinsurers			
Net insurance premiums revenue			
Fee Income	12		
- Insurance contracts			
- Investment contracts			
Investment Income	13		
Net Realised gains on financial assets	14		
Net fair value gains on Financial Assets at fair value through income	15		
Other operating Income		_____	_____
NET INCOME (A)			
Insurance benefits	16		
Insurance claims and loss adjustment expenses	16		
Insurance claims and loss adjustment expenses recovered from reinsurers	16	_____	_____
Net Insurance benefits and claims			
Investment contracts benefits			
Expenses for the acquisition of insurance and	17,18		

investment contracts (commissions paid)			
Expenses for marketing and administration	17,18		
Other operating expenses	18	_____	_____
TOTAL EXPENSES (B)		_____	_____
RESULTS OF OPERATING ACTIVITIES (A-B)			
Less: Finance costs	19		
Share of profit / (loss) of associates			
		_____	_____
Profit before tax			
Taxation	20		
		_____	_____
PROFIT FOR THE YEAR		=====	=====

NOTES TO THE SHORT TERM – INCOME STATEMENT

11. INSURANCE PREMIUMS REVENUE

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Short term insurance contracts:		
- Premiums receivable		
- Change in unearned premium provision		
Premium revenue arising from insurance contracts issued	_____	_____
Short term reinsurance contracts:		
- Premiums payable		
- Change in unearned premium provision	_____	_____
Premium revenue ceded to reinsurers on insurance contracts issued		
	_____	_____
Net insurance premium revenue	_____	_____

12. FEE INCOME

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Policy administration and asset management services:		
- Insurance contracts		
- Investment contracts (unit linked) without DPF		
- Investment contracts with DPF		
- Other (specify)	_____	_____
Total fee income	_____	_____
	_____	_____

13. INVESTMENT INCOME

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Available for sale:		
- Dividend income		
- Interest income		

- Fair value gains of exchange trade currency fixtures		
- Fair value adjustments to available –for-sale debt securities attributable to currency risk		
- Other (specify)		
Held-to-maturity interest income		
Cash and cash equivalents interest income		
Total investment income		

14. NET REALISED GAINS ON FINANCIAL ASSETS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Realised gains on financial assets – available for sale:		
- Equity securities		
- Debt securities		
Realised losses on financial assets – available for sale:		
- Equity securities		
- Debt securities		
Impairment of financial assets		
	_____	_____
TOTAL	_____	_____
	—	

15. NET FAIR VALUE GAINS ON ASSETS AT FAIR VALUE THROUGH INCOME

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Net fair value gains on financial assets at fair value through Profit and Loss		
Fair value gains on investment property		
	_____	_____
TOTAL	_____	_____

16. INSURANCE BENEFITS AND CLAIMS

a) Insurance benefits

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Short term insurance contracts - life		

b) Claims and loss adjustment expenses

	CURRENT YEAR			PREVIOUS YEAR		
	Gross	Reinsurance	Net	Gross	Reinsurance	Net
Current year claims and loss adjustment expenses						
Additional cost for prior year claims and loss adjustment expenses						
Increase in the expected cost of claims for unexpired risks						
	—	—	—	—	—	—
Total claims and loss adjustment expenses	—	—	—	—	—	—

17. OTHER EXPENSES BY DESTINATION

a) Expenses for the acquisition of insurance and investment contracts (commission)

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Amortisation of intangible assets		
Costs incurred for the acquisition of insurance contracts expensed in the year		
Costs incurred for the acquisition of investment contracts expensed in the year		
Total expenses for the acquisition of insurance and investment contracts		

<i>b) Marketing and administrative expenses</i>		
Marketing and administrative expenses		
Depreciation		
Costs relating to investment properties not let	_____	_____
Total marketing and administrative expenses	_____	_____

18. EXPENSES BY NATURE

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Depreciation, amortization and impairment charges		
Employee benefit expense		
Purchase of goods and services		
Operating lease rentals (refer to relevant note)		
Software costs		
Other expenses (specify)		
	_____	_____
Total expenses	_____	_____

19. FINANCE COSTS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Interest expense:		
- Bank borrowings		
- Dividend on redeemable preference shares		
- Convertible bond	_____	_____
Net foreign exchange transaction (gains) / losses		
Fair value gains on derivatives associated with borrowing		
- Interest rate swaps, cash flow hedges, transfer from equity		
Other (specify)		
	_____	_____
Total	_____	_____

20. TAXATION

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Current tax		
Deferred tax (refer to relevant note)	_____	_____
	_____	_____

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

LONG TERM INSURANCE BUSINESS – BALANCE SHEET

AS AT _____

Name of Insurer: _____ Registration number: _____

	NOTES	CURRENT YEAR	PREVIOUS YEAR
ASSETS		E	E
Property, plant and equipment	21		
Investment property	22		
Intangible assets including intangible insurance assets	23		
Investments in associates	24		
Financial assets:			
Equity securities:			
- Available for sale	25, 26		
- At fair value through income	25, 26		
Debt securities:			
- Held to maturity	25, 26		
- Available for sale	25, 26		
- At fair value through income	25, 26		
Loans and receivables including insurance receivables	27		
Derivative financial instruments	28		
Deferred income tax			
Reinsurance contracts	29		
Cash and cash equivalents	30	_____	_____
TOTAL ASSETS		_____	_____
EQUITY			
Capital & reserves attributable to the Company's equity holders			
Ordinary shares	31		
Share premium	31		
Retained earnings	32		
Other reserves	32	_____	_____

LIABILITES			
Insurance contracts	33		
Financial liabilities	34		
Borrowings	35		
Derivative Financial instruments			
Provisions for liabilities and charges	36		
Trade and other payables			
Deferred Income tax			
Retirement Fund obligations	37		
Current Income tax liability		_____	_____
TOTAL LIABILITIES		_____	_____
TOTAL EQUITY AND LIABILITIES		_____	_____

LONG TERM NOTES TO THE BALANCE SHEET

21. PROPERTY, PLANT AND EQUIPMENT (NET BOOK VALUES)

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Land and buildings		
Vehicles		
Furniture & fittings		
Office equipment		
Computer equipment	_____	_____
	_____	_____

22. INVESTMENT PROPERTY

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Opening net book amount		
Additions and capital improvements		
Fair value gains		
Foreign currency translation effects	_____	_____
Closing net book amount	_____	_____

23. INTANGIBLE ASSETS (NET BOOK VALUES)

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Goodwill		
Value of business acquired (Insurance contracts only)		
Deferred acquisition costs (Insurance and Investment contracts with DPF (discretionary participation features))		
Contractual customer relationships		
Other (specify)	_____	_____
Total	_____	_____

24. INVESTMENTS IN ASSOCIATES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
At beginning of the year		
Acquisition of subsidiary		
Share of (loss)/profit		
Other equity movements	_____	_____
At end of year	_____	_____

25. FINANCIAL ASSETS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Held to maturity		
Available for sale		
Fair value through income		
Loans and receivables (including insurance receivables)	_____	_____

Total financial assets	_____	_____
Held to maturity financial assets at amortised cost		
Debt securities – fixed income rate:		
- Listed		
- Unlisted		
Provision for impairment:		
- Listed		
- Unlisted	_____	_____
Total held to maturity financial assets	_____	_____
Available for sale financial assets		
Equity securities:		
- Listed		
- Unlisted	_____	_____
Debt securities:		
- Listed		
- Unlisted	_____	_____
	_____	_____
Total available for sale financial assets	_____	_____
Financial assets at fair value through Profit or loss		
Equity securities:		
- Listed		
- Unlisted	_____	_____
Debt securities:		
- Listed		
- Unlisted	_____	_____
	_____	_____
Total financial assets at fair value through profit & loss	_____	_____

**26. COMPLIANCE TO INVESTMENT CRITERIA – 30% LOCAL
INVESTMENT**

	CURRENT YEAR	PREVIOUS YEAR
	% of aggregate market value of total assets (financial assets)	% of aggregate market value of total assets (financial assets)
1. Deposits and balances with registered deposit taking institutions including negotiable deposits and money market instruments in terms of which such an institution is liable and paid-up shares of a mutual building society (refer to note 30)		
2. Bills, bonds and securities issued or guaranteed by and loans to or guaranteed by:		
i) a local authority authorized by laws to levy rates upon immovable property		
ii) Swaziland Water Services Corporation		

iii) Swaziland Electricity Company		
iv) Swaziland Posts and Telecommunications		
v) Any parastatal in which government has a major shareholding (specify parastatal)		
a)		
b)		
c)		
d)		
vi) Government bonds		
vii) Central Bank – Treasury Bills (long term)		
3. Immovable Property secured by mortgage bonds		
4. Units in unit trust schemes in property shares and shares in, loans to and debentures, both convertible and non-convertible, of property companies.		
5. Investment in a single property or property development project.		
6. Preference and ordinary shares in companies excluding shares in property companies. Convertible debentures, whether voluntarily or compulsory convertible and units in equity unit trust schemes whose objective is to invest their assets mainly in shares.		
i) Unlisted shares, unlisted convertible debentures and shares and convertible debentures listed in the Development Capital Sector.		
ii) Shares and convertible debentures in a single listed company other than the Development Capital Sector.		
a) With a market capitalization of E150 million or less		
b) With market capitalization of more than E150 million		
7. Listed and unlisted debentures, units in a unit trust scheme with the objective to invest in income generating securities.		
8. Any other assets not referred to in this Schedule excluding money in hand approved by the Registrar.		

27. LOANS AND RECEIVABLES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Due from contract holders		
- Less provision for impairment of receivables from contract holders		
Due from agents, brokers and intermediaries		
- Less provision for impairment of receivables due from agents, brokers and intermediaries		
Due from reinsurers		
- Less provision for impairment of receivable due from reinsurers		
Other loans and receivables:		
- Prepayments		
- Accrued rent		
- Receivables from related parties		
- Loans to related parties		
- Less provision for impairment of other loans & receivables	_____	_____
Total loans and receivable	_____	_____

28. DERIVATIVE FINANCIAL INSTRUMENTS

a) Cash flow hedges

	CURRENT YEAR			PREVIOUS YEAR		
	Contract/ notional amount	Fair value asset	Fair value liability	Contract/ notional amount	Fair value asset	Fair value liability
OTC forward contracts:						
- Fixed and guaranteed portfolio						
Interest rate contracts:						
OTC Swaps	_____	_____	_____	_____	_____	_____
Total	_____	_____	_____	_____	_____	_____

b) Fair value hedges

	CURRENT YEAR			PREVIOUS YEAR		
	Contract/ notional amount	Fair value asset	Fair value liability	Contract/ notional amount	Fair value asset	Fair value liability
Foreign exchange contracts						
- Exchange traded futures						
Total	_____	_____	_____	_____	_____	_____

c) Other Financial instruments (specify)**29. REINSURANCE CONTRACTS**

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Recoverable from reinsurers (specify reinsurers):		
a)		
b)		
c)		
d)		
e)		
Less: Impairment provision	_____	_____
Total assets arising from reinsurance contracts	_____	_____

30. CASH AND CASH EQUIVALENTS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
First National Bank		
Standard Bank		
Nedbank		
Swazi Bank		
African Alliance money market fund		
STANLIB money market		
Swaziland Building Society	_____	_____

Total cash and cash equivalents	_____	_____
	—	

31. SHARE CAPITAL

	No. of shares	Ordinary shares	Share premium	Treasury shares	Total
Prior year opening balances:					
Employee share option schemes:					
- Value of service provided					
- Proceeds from shares issued	_____	_____	_____	_____	_____
Prior year closing balance:					
Employee share option schemes:					
- Value of service provided					
- Proceeds from shares issued					
Acquisition of subsidiary					
Treasury shares purchased	_____	_____	_____	_____	_____
Current year closing balance:	_____	_____	_____	_____	_____

32. OTHER RESERVES AND EQUITY COMPONENT OF DPF

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Land and Buildings reserves		
Hedging reserve		
Reserve for revaluation of available for-for-sale investments		
Reserve for insurance liabilities and liabilities for investment contracts with DPF (net of DAC and VOBA)		
Translation reserve		
Convertible bond	_____	_____
Total other reserves at end of the year	_____	_____
	_____	_____
Equity component of DPF at end of the year	_____	_____
	_____	_____

Retained earnings at end of the year	_____	_____
	—	

33. INSURANCE LIABILITIES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Long term insurance contracts:		
- With fixed and guaranteed terms		
- With DPF		
- Without fixed terms		
	_____	_____
Total insurance liabilities	_____	_____

34. FINANCIAL LIABILITIES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Guaranteed element		
DPF component	_____	_____
Total investment contracts with DPF	_____	_____
Investment contracts at amortised cost (guaranteed investment bonds)		
Investment contracts at fair value through income (unit-linked)		
	_____	_____
Total financial liabilities arising from investment contracts	_____	_____

35. BORROWINGS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Bank loans		
Convertible bonds		
Debentures and other loans		
Redeemable preference shares		
Collateralised borrowings		
Bank overdrafts	_____	_____
Total borrowings	_____	_____

36. PROVISIONS FOR OTHER LIABILITIES AND CHARGES

	Regulatory levies	Provision 2	Provision 3	Total
At beginning of the year				
Charged to Income Statement:				
- Additional provision				
- Unused provisions reversed				
Less: Used during the year				
	_____	_____	_____	_____
Balance at end of the year	_____	_____	_____	_____

37. RETIREMENT FUND OBLIGATIONS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Balance sheet obligations for:		
- Pension / provident obligations		
- Post-employment medical benefits	_____	_____
	_____	_____
Income statement charge for:		

- Pension / provident obligations		
- Post-employment medical benefits	_____	_____
	_____	_____

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

SHORT TERM INSURANCE BUSINESS – BALANCE SHEET

AS AT _____

Name of Insurer: _____ Registration number: _____

	NOTES	CURRENT YEAR	PREVIOUS YEAR
ASSETS		E	E
Property, plant and equipment	38		
Investment property	39		
Intangible assets including intangible insurance assets	40		
Investments in associates	41		
Financial assets:			
Equity securities:			
- Available for sale	42, 43		
- At fair value through income	42, 43		
Debt securities:			
- Held to maturity	42, 43		
- Available for sale	42, 43		
- At fair value through income	42, 43		
Loans and receivables including insurance receivables	44		
Derivative financial instruments	45		
Deferred income tax			
Reinsurance contracts	46		
Cash and cash equivalents	47	_____	_____
TOTAL ASSETS		_____	_____
EQUITY			
Capital & reserves attributable to the Company's equity holders			
Ordinary shares	48		
Share premium	48		
Retained earnings	49		
Other reserves	49	_____	_____

LIABILITES			
Insurance contracts	50		
Financial liabilities	51		
Borrowings	52		
Derivative Financial instruments			
Provisions for liabilities and charges	53		
Trade and other payables			
Deferred Income tax			
Retirement Fund obligations	54		
Current Income tax liability		_____	_____
TOTAL LIABILITIES		_____	_____
TOTAL EQUITY AND LIABILITIES		_____	_____

SHORT TERM – NOTES TO THE BALANCE SHEET

38. PROPERTY, PLANT AND EQUIPMENT (NET BOOK VALUES)

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Land and buildings		
Vehicles		
Furniture & fittings		
Office equipment		
Computer equipment	_____	_____
	_____	_____

39. INVESTMENT PROPERTY

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Opening net book amount		
Additions and capital improvements		
Fair value gains		
Foreign currency translation effects	_____	_____
Closing net book amount	_____	_____

40. INTANGIBLE ASSETS (NET BOOK VALUES)

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Goodwill		
Value of business acquired (Insurance contracts only)		
Deferred acquisition costs (Insurance and Investment contracts with DPF (discretionary participation features))		
Contractual customer relationships		
Other (specify)	_____	_____
Total	_____	_____

41. INVESTMENTS IN ASSOCIATES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
At beginning of the year		
Acquisition of subsidiary		
Share of (loss)/profit		
Other equity movements	_____	_____
At end of year	_____	_____

42. FINANCIAL ASSETS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Held to maturity		
Available for sale		
Fair value through income		
Loans and receivables (including insurance receivables)	_____	_____

Total financial assets	_____	_____
Held to maturity financial assets at amortised cost		
Debt securities – fixed income rate:		
- Listed		
- Unlisted		
Provision for impairment:		
- Listed		
- Unlisted	_____	_____
Total held to maturity financial assets	_____	_____
Available for sale financial assets		
Equity securities:		
- Listed		
- Unlisted	_____	_____
Debt securities:		
- Listed		
- Unlisted	_____	_____
	_____	_____
Total available for sale financial assets	_____	_____
Financial assets at fair value through Profit or loss		
Equity securities:		
- Listed		
- Unlisted	_____	_____
Debt securities:		
- Listed		
- Unlisted	_____	_____
	_____	_____
Total financial assets at fair value through profit & loss	_____	_____

43. COMPLIANCE TO INVESTMENT CRITERIA – 30% LOCAL INVESTMENT

	CURRENT YEAR	PREVIOUS YEAR
	% of aggregate market value of total assets (financial assets)	% of aggregate market value of total assets (financial assets)
1. Deposits and balances with registered deposit taking institutions including negotiable deposits and money market instruments in terms of which such an institution is liable and paid-up shares of a mutual building society (refer to note 30)		
2. Bills, bonds and securities issued or guaranteed by and loans to or guaranteed by:		
i) a local authority authorized by laws to levy rates upon immovable property		
ii) Swaziland Water Services Corporation		

iii) Swaziland Electricity Company		
iv) Swaziland Posts and Telecommunications		
v) Any parastatal in which government has a major shareholding (specify parastatal)		
a)		
b)		
c)		
d)		
vi) Government bonds		
vii) Central Bank – Treasury Bills (long term)		
3. Immovable Property secured by mortgage bonds		
4. Units in unit trust schemes in property shares and shares in, loans to and debentures, both convertible and non-convertible, of property companies.		
5. Investment in a single property or property development project.		
6. Preference and ordinary shares in companies excluding shares in property companies. Convertible debentures, whether voluntarily or compulsory convertible and units in equity unit trust schemes whose objective is to invest their assets mainly in shares.		
i) Unlisted shares, unlisted convertible debentures and shares and convertible debentures listed in the Development Capital Sector.		
ii) Shares and convertible debentures in a single listed company other than the Development Capital Sector.		
a) With a market capitalization of E150 million or less		
b) With market capitalization of more than E150 million		
7. Listed and unlisted debentures, units in a unit trust scheme with the objective to invest in income generating securities.		
8. Any other assets not referred to in this Schedule excluding money in hand approved by the Registrar.		

44. LOANS AND RECEIVABLES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Due from contract holders		
- Less provision for impairment of receivables from contract holders		
Due from agents, brokers and intermediaries		
- Less provision for impairment of receivables due from agents, brokers and intermediaries		
Due from reinsurers		
- Less provision for impairment of receivable due from reinsurers		
Other loans and receivables:		
- Prepayments		
- Accrued rent		
- Receivables from related parties		
- Loans to related parties		
- Less provision for impairment of other loans & receivables	_____	_____
Total loans and receivable	_____	_____

45. DERIVATIVE FINANCIAL INSTRUMENTS**a) Cash flow hedges**

	CURRENT YEAR			PREVIOUS YEAR		
	Contract/ notional amount	Fair value asset	Fair value liability	Contract/ notional amount	Fair value asset	Fair value liability
OTC forward contracts:						
- Short term insurance portfolio						
Interest rate contracts:						
OTC Swaps	_____	_____	_____	_____	_____	_____
Total	_____	_____	_____	_____	_____	_____

b) Fair value hedges

	CURRENT YEAR			PREVIOUS YEAR		
	Contract/ notional amount	Fair value asset	Fair value liability	Contract/ notional amount	Fair value asset	Fair value liability
Foreign exchange contracts						
- Exchange traded futures						
Total	_____	_____	_____	_____	_____	_____

c) Other Financial instruments (specify)**46. REINSURANCE CONTRACTS**

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Recoverable from reinsurers (specify reinsurers):		
a)		
b)		
c)		
d)		
e)		
Less: Impairment provision	_____	_____
Total assets arising from reinsurance contracts	_____	_____

47. CASH AND CASH EQUIVALENTS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
First National Bank		
Standard Bank		
Nedbank		
Swazi Bank		
African Alliance money market fund		
STANLIB money market		

Swaziland Building Society	_____	_____
Total cash and cash equivalents	_____	_____
	—	

48. SHARE CAPITAL

	No. of shares	Ordinary shares	Share premium	Treasury shares	Total
Prior year opening balances:					
Employee share option schemes:					
- Value of service provided					
- Proceeds from shares issued	_____	_____	_____	_____	_____
Prior year closing balance:					
Employee share option schemes:					
- Value of service provided					
- Proceeds from shares issued					
Acquisition of subsidiary					
Treasury shares purchased	_____	_____	_____	_____	_____
Current year closing balance:	_____	_____	_____	_____	_____

49. OTHER RESERVES AND EQUITY COMPONENT OF DPF

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Land and Buildings reserves		
Hedging reserve		
Reserve for revaluation of available for-for-sale investments		
Reserve for insurance liabilities and liabilities for investment contracts with DPF (net of DAC and VOBA)		
Translation reserve		
Convertible bond	_____	_____
Total other reserves at end of the year	_____	_____
	_____	_____
Equity component of DPF at end of the year	_____	_____

	_____	_____
Retained earnings at end of the year	_____	_____
	—	

50. INSURANCE LIABILITIES

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Short term insurance contracts – Property and casualty:		
- Claims reported and loss adjustment expenses		
- Claims incurred but not reported (IBNR)		
- Unearned premiums		
- Unexpired risk provision		
- Short term Insurance contracts – life	_____	_____
Total insurance liabilities , gross	_____	_____
Recoverable from reinsurers		
Short term insurance contracts:		
- Claims reported and loss adjustment expenses		
- Claims incurred but not reported		
- Unearned premiums		
- Unexpired risk provision	_____	_____
Total reinsurers' share of insurance liabilities	_____	_____
Net		
Short term insurance contracts:		
- Claims reported and loss adjustment expenses		
- Claims incurred but not reported		
- Unearned premiums		
- Unexpired risk provision	_____	_____
Total insurance liabilities, net	_____	_____

51. FINANCIAL LIABILITIES

	CURRENT YEAR	PREVIOUS YEAR
	E	E

Guaranteed element		
DPF component	_____	_____
Total investment contracts with DPF	_____	_____
Investment contracts at amortised cost (guaranteed investment bonds)		
Investment contracts at fair value through income (unit-linked)		
	_____	_____
Total financial liabilities arising from investment contracts	_____	_____

52. BORROWINGS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Bank loans		
Convertible bonds		
Debentures and other loans		
Redeemable preference shares		
Collateralised borrowings		
Bank overdrafts	_____	_____
Total borrowings	_____	_____

53. PROVISIONS FOR OTHER LIABILITIES AND CHARGES

	Regulatory levies	Provision 2	Provision 3	Total
At beginning of the year				
Charged to Income Statement:				
- Additional provision				
- Unused provisions reversed				
Less: Used during the year				
	_____	_____	_____	_____
Balance at end of the year	_____	_____	_____	_____

54. RETIREMENT FUND OBLIGATIONS

	CURRENT YEAR	PREVIOUS YEAR
	E	E
Balance sheet obligations for:		
- Pension / provident obligations		
- Post-employment medical benefits	_____	_____
	_____	_____
Income statement charge for:		
- Pension / provident obligations		
- Post-employment medical benefits	_____	_____
	_____	_____

Form SIA 15

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

LONG TERM INSURANCE BUSINESS – UNAUDITED QUARTERLY RETURNS

FOR THE PERIOD: _____ TO _____

<u>REVENUE STATEMENT</u>	Individual business	Group Business	Total
	E'000	E'000	E'000
Inflows:			
Premium Income received and outstanding			
Investment Income realised and unrealised			
Other Income (specify)			
Total Income			
Outflows:			
Claims paid			
Claims outstanding			
Annuities			
Surrenders			
Commission			
General Expenses			
Other (specify)			
Taxation			
Total Expenses			
Excess of income over expenses			
Less: Transfer to (from) shareholder fund			
Increase/(Decrease) in Long-term Fund			

Form SIA 15 continued

<u>ASSETS & LIABILITIES STATEMENT</u>		
	Current Quarter (E'000)	Previous quarter (E'000)
ASSETS:		
Cash		
Bank Balances		
Gilts/Bonds		
Mortgage Bonds		
Policy loans		
Claims/Debtors		
Listed Shares		
Unlisted Shares		
Debentures		
Fixed Assets		
Foreign assets		
Total Assets		
LIABILITIES:		
Policy Liabilities		
Current Liabilities		
CAR (Capital Adequacy Requirements)		
Total Liabilities		
Excess of Assets over Liabilities		

<u>CRITICAL ASSESMENTS</u>	
	Percentage (%)
Capital Adequacy Requirements (CAR) cover	
Funding level (before CAR)	
Funding level (after CAR)	
Management expenses: Premium income	
Commission _ premium income	
Claims ratio	
Retention	

Form SIA 15 continued

<u>NEW BUSINESS AND LAPSES</u>		
	Number of policies	Amount 'E'
NEW BUSINESS:		
<i>(Individual recurring and single premiums)</i>		
Ordinary Business		
Retirement Annuities		
Individual Single Premium		
Total New Premium		
LAPSES:		
Lapses within First Year		
Others		
Total Lapses		

<u>MOVEMENT STATISTICS – ALL</u>		
<i>(Fund, Group Business, Individual & Grouped Individual business)</i>	Number of Policies and schemes	Policy liabilities E'000
Beginning balance of quarter		
New policies issued		
Policies terminated		
Policies matured		
Policies lapsed		
Expiring Policies		
Disabilities and deaths		

New funds issued		
Funds terminated		
Ending balance of quarter		

CLASSES OF BUSINESS			
	Net Premiums	Net Claims	Net Commission and Expenses
Assistance			
Disability			
Fund			
Funeral			
Life			
Health			
Sinking Fund			
Miscellaneous			
Exempt			

<u>ASSET SPREAD REQUIREMENTS I.T.O ACT</u>	
	E'000
Total domestic non-linked assets	
Total domestic non-linked liabilities and minimum CAR	
Total admitted assets	
Aggregate excess	
Surplus of overall admitted assets over total domestic liabilities	

PREPARED BY: _____

TITLE: _____

PRINCIPAL REPRESENTATIVE: _____

DATE: _____

SIGNATURE

Form SIA 15 A

KINGDOM OF SWAZILAND

OFFICE OF THE REGISTRAR OF INSURANCE

SHORT-TERM INSURANCE BUSINESS UNAUDITED QUARTERLY RETURNS

FOR THE PERIOD: _____ TO _____

<u>REVENUE STATEMENT</u>	Current Quarter (E'000)	Previous quarter (E'000)
Gross premium written		
(Less) Reinsurance premiums		
Net premium written (% of retained)		
Premiums earned		
Less:		
Claims Incurred		
Commissions		
General expenses		
Underwriting surplus		
Investment Income		
Realised investment surplus		
Subtotal (% of NPW)		
Unrealised investment surplus		
Other Income/(expense)		
Contingency Reserve decrease/(increase)		
Less: Estimated taxation (current + deferred)		
Dividends declared		
Increase/(decrease) in surplus assets		

<u>ASSETS & LIABILITIES STATEMENT</u>	Current Quarter (E'000)	Previous quarter (E'000)
ASSETS:		
Cash		
Bank Balances		
Gilts/Bonds		
Mortgage Bonds		
Outstanding premiums		
Debtors		
Reinsurance deposits		
Long-term linked policies		
Long-term non-linked policies		
Debentures		
Shares - Quoted		
Shares - Unquoted		
Land and buildings		
Units in Unit Trusts		
Fixed assets		
Other assets		
Foreign assets		
(1) Total Assets		
LIABILITIES:		
Outstanding Claims		
Unearned premium provision		
IBNR		
Contingency Reserve		
Unexpired risk provision		
Due to insurers & reinsurers		
Bank overdrafts		
Provision for taxation		

Provision for deferred tax		
Contingent liabilities		
Other (specify):		
(2) Total Liabilities		
Foreign liabilities included in total liabilities		

<u>ASSETS COVER – DOMESC AND FOREIGN</u>	Current Quarter (E'000)	Previous quarter (E'000)
(1)Premium income		
(2) Less all reinsurance		
(3) 12 months preceding previous financial year end		
(4) 12 months immediately preceding the calculation		
(5)Greater of (3) or (4)		
(6) 15% of (5)		
(7) Surplus assets (1-2)		
Less: The greater of (6) or E2 million		
Net surplus assets		
% of surplus assets		
(7) to premiums (5)		

<u>NET UNDERWRITING RESULTS PER CLASS – E'000</u>						
	Premiums Written (a)	Retenti on % (b)	Claims incurre d (c)	Commission written (d)	Expenses (e)	Underwritten surplus (f)
Liability						
Motor						
Property						

Transportation						
Accident and Health						
Engineering						
Guarantee						
Miscellaneous						
Workman's Compensation						
Totals						

<u>CRITICAL ASSESMENTS</u>				
	% Claims Incurred	% Commission written	% Expenses written	% Underwritten surplus
Liability				
Motor				
Property				
Transportation				
Accident and Health				
Engineering				
Guarantee				
Miscellaneous				
Workman's Compensation				
Totals				

<u>ASSET SPREAD REQUIREMENT IN TERMS OF THE ACT.</u>	
	E'000
Total domestic non-linked assets	
Total domestic non-linked liabilities and minimum CAR (Capital Adequacy Requirement)	

Total admission assets	
Aggregate excess	
Surplus of overall admitted assets over total domestic liabilities	

PREPARED BY: _____

TITLE:

PRINCIPAL REPRESENTATIVE: _____

DATE:

SIGNATURE

Schedule 6

COMPLAINTS FORM
COMPLAINT ADDRESSED TO:

(1) THE INSURANCE & RETIREMENT FUNDS BOARD

(2) THE OFFICE THE ADJUDICATOR

(3) REGISTRAR OF INSURANCE AND RETIREMENT FUNDS

(Tick whichever is applicable)

NAME AND SURNAME or COMPANY NAME OF COMPLAINANT:	
POSTAL ADDRESS:	PHYSICAL ADDRESS:
CONTACT DETAILS OF COMPLAINANT	
TEL: HOME	
TEL:WORK	
CELL:	
FAX:	
EMAIL:	
COMPLAINT AGAINST	
POSTAL ADDRESS OF ENTITY	PHYSICAL ADDRESS OF ENTITY
HAS THE ENTITY DECLINED THE COMPLAINT?	YES/NO IF YES, WHAT REASONS WERE GIVEN (Attach response)
IS THE COMPLAINT NOT IN HANDS OF AN ATTORNEY?	YES/NO

COMPLAINT DESCRIPTION		
..... Signature of Complainant	 Date	Supporting documents to be attached

.....April, 2008

Majozi V. Sithole
Minister of Finance