South Africa

Covid-19 responses that may have an impact on insurers

Issuer
FSCA
PA
Competition Commission
Council of Medical Schemes
SARB
JSE
CIPC
Government
FSCA/PA
FIC
Тах
NCR
ICASA
Information Regulator
Stats SA
Industry Association-BASA
Industry Association-SAIA
FSCA/PA/SARB

Date	Authority	Sectors	Summary	Source
2020/04/29	FSCA/PA	All financial	The Prudential Authority and the Financial Sector Conduct	https://www.fsca.co.za/R
		sectors	Authority has published a joint communication outlining revised	egulatory%20Frameworks
			implementation dates for specific joint regulatory frameworks in	/Temp/Joint%20Communi
			order to provide certainty and allow financial institutions to	cation%203%20of%20202
			prepare for the implementation of the specific joint frameworks	0.pdf#search=joint%20co
2020/04/28	Government	General	Instruction Note 3 of 2020/21 and Circular 101 on COVID-19	http://www.treasury.gov.z
			emergency procurement measures, published by National	a/comm_media/press/20
			Treasury, has been replaced. The new measures provide a	20/20200428%20Media%
			national regulatory approach to procure goods centrally, in	20Statement%20-
			response to the rapid changes in demand for specialised products	%20Measures%20for%20

2020/04/28	Government	General	National Treasury Instruction 05 of 2020/2021 prescribes	http://www.treasury.gov.z
			emergency procurement procedures to deal with COVID-19	a/comm_media/press/20
			pandemic and avoid the abuse of the supply chain management	20/Instruction%205.pdf
			(SCM) system to deal with Disaster. It addresses the procurement	
			of PPE items and cloth masks for ease of supply to SMME's and	
			create an environment for stimulation of local supply and	
2020/04/25	Government	General	Comments were invited by 27 April 2020 on a schedule of	https://www.gov.za/sites/
			services to be phased in per the COVID-19 risk adjustment	default/files/gcis docume
			strategy. The document serves as a draft framework to bring	nt/202004/goods-services-
			different sectors of the economy back to work. On Level 4 the	movement-1.pdf
			sale of tobacco products and personal information and	
			communication technology products such as cellphones will be	
2020/04/24	Government	General	Loan Scheme for SMEs	http://www.treasury.gov.z
				a/comm_media/press/20
				20/20200424%20Loan%2
2020/04/23	FSCA/PA	All financial	A joint communication has been issued to outline the Prudential	https://www.fsca.co.za/R
		sectors	Authority, the National Payment System Department, the	egulatory%20Frameworks
			Financial Surveillance Department of the South African Reserve	/Temp/Joint%20Communi
			Bank, as well as the Financial Sector Conduct Authority's current	cation%202%20of%20202
			position concerning the COVID-19 pandemic and its impact on the	<u>0.pdf</u>
			ability of accountable institutions to adhere to their obligations	
			regarding customer due diligence, particularly that of conducting	
			on-going due diligence, in terms of section 21C of the Financial	
2020/04/23	Government	General	In an address to the nation, the President has indicated that	https://www.gov.za/speec
			Government will implement a risk-adjusted strategy to the easing	hes/president-cyril-
			of lockdown measures from 1 May 2020. The national	ramaphosa-south-africas-
			coronavirus alert level will be lowered from level 5 to level 4 to	response-coronavirus-
			allow some businesses to resume operations under specific	covid-19-pandemic-23-apr-
2020/04/23	Government	General	Media Briefing by Minister of Finance following the President's	http://www.treasury.gov.z
			Address to the Nation on R500bn package of economic measures	a/comm_media/press/20
				20/20200424%20Media%
				20Advisory%20-

				T
2020/04/22	FSCA	Insurance	Short-term insurers and independent intermediaries that provide	https://www.fsca.co.za/N
			premium relief to policyholders due to the COVID-19 pandemic	otices/FSCA%20INS%20No
			have been exempted from regulation 5.2 and 5.3(1) of the	tice%208%20of%202020.p
			Regulations under the Short-term Insurance Act, 1998. Regulation	<u>df</u>
			5.2 determines the time and payment of commission, and	
			regulation 5.3(1) caps the commission an insurer or intermediary	
2020/04/21	FSCA/PA	All financial	The Financial Sector Conduct Authority and the Prudential	https://www.fsca.co.za/En
		sectors	Authority has issued a Guidance Note that seeks to provide	forcement-
			clarification and to address any confusion that may have arisen	Matters/Directives/19%20
			between the content of the Joint Directive and the Call Centre	April%202020%20Guidanc
			Directions relating to appropriate precautionary measures to be	e%20re%20Joint%20Direc
			taken when performing essential financial services in terms of	tive%20in%20terms%20of
			Lockdown Regulations made in terms of section 27(2) of the	%20Disaster%20Managem
			Disaster Management Act, 2002, and the Joint Directive of 9 April	ent%20Regs_final.pdf
2020/04/21	FSCA	All financial	The deadlines by which statutory returns are due for submission	https://www.fsca.co.za/N
		sectors	to the Financial Sector Conduct Authority have been extended.	otices/FSCA%20GENERAL
			The extension affects financial services providers, collective	%20Notice%202%20of%2
			investment schemes managers, administrators, pension funds,	<u>02020.pdf</u>
2020/04/17	Government	General	Amendments have been made to the Lockdown Regulations. The	http://www.gpwonline.co.
			amendments provide, among others, for: (a) the extension of the	za/Gazettes/Gazettes/432
			closure period of schools and partial care facilities; (b) the	32_16-04_Cogta.pdf
			amendment of the definition of lockdown to mean from 23H59	
			on 26 March 2020 until 23H59 on 30 April 2020; (c) the	
			movement of children from one parent to another on condition	
			that a court order or parental responsibilities agreement exists;	
2020/04/16	FSCA/PA	Insurance	A Joint Communication has been published which outlines	https://www.resbank.co.z
			regulatory and supervisory actions that the Prudential Authority	a/Lists/News%20and%20P
			and Financial Sector Conduct Authority ("Authorities") are	ublications/Attachments/
			implementing to alleviate the stress caused by COVID-19 on the	9873/Joint%20Communic
			insurance industry. Insurers are urged to take all necessary steps	ation%201%20of%202020
			to maintain financial soundness throughout this period. However,	<u>%20COVID-</u>
			insurers are advised not to take any drastic actions, including	19%20Regulatory%20resp
			selling investments under these circumstances or implementing	onse.pdf
			management actions, such as the removal of non-vested bonuses,	

2020/04/16	FSCA	All financial	The Financial Sector Conduct Authority has exempted financial	https://www.fsca.co.za/N
		sectors	services providers, key individuals and representatives, subject to	otices/FSCA%20FAIS%20N
			certain conditions, from the Continuous Professional	otice%2022%20of%20202
			Development ("CPD") Requirements, in respect of the 2021 CPD	0.pdf
			cycle. The date by which FSPs, key individuals and	
			representatives, must obtain the minimum CPD hours has also	
2020/04/15	FSCA	All financial	The FSCA exempts fiannical services providers and juristic	https://www.fsca.co.za/N
		sectors	representatives from certain financial soundness requirements.	otices/FSCA%20FAIS%20N
				otice%2021%20of%20202
2020/04/15	FSCA	Insurance	Short-term and long-term insurers that provide premium relief	https://www.fsca.co.za/N
			to policyholders due to the national state of disaster brought on	otices/FSCA%20INS%20No
			by the COVID-19 outbreak have been exempted from the	tices%206%20and%207%2
			requirements for the time and payment of commission, in the	0of%202020%20and%20F
			case of short-term insurance policies, and the adjustment and	SCA%20COMMUNICATION
			refund of commission, in the case of long-term insurance policies.	<u>%2019%200F%202020%2</u>
			Insurance Notice 6 and 7. Notice 6 is withdrawn and replaced by	<u>O(INS).zip</u>
2020/04/09	FSCA/PA	All financial	The Financial Sector Conduct Authority and the Prudential	https://www.fsca.co.za/R
		sectors	Authority has issued a Joint Directive to financial institutions	egulatory%20Frameworks
			regarding appropriate precautionary measures to be taken when	/Temp/9%20April%20202
			performing essential financial services. Among others, a financial	0%20Joint%20directive%2
			institution must develop and implement an infectious disease	Oto%20Disaster%20Mana
			preparedness and response plan that can help guide protective	gement%20Regulations.pd
			actions against COVID-19, which must include plans and policies	<u>f</u>
2020/04/09	Government	All financial	A new Directive has been published, to clarify the extent and	http://www.gpwonline.co.
		sectors	conditions upon which, call centres may operate during the	za/Gazettes/Gazettes/432
			lockdown. The Directive provides, among others, for conditions	24_09-04_DTI.pdf
			call centres must adhere to which includes: (a) conducting a risk	
			assessment in the call centre to identify, mitigate and eliminate	
			potential exposure to COVID-19 transmission; (b) providing and	
			displaying in the call centres premises dispensers of alcohol-based	
			hand sanitiser for use by all persons within the call centre and its	
			precinct; and (c) displaying a copy of the Directive in the premises	

2020/04/09	PA	Banking/Insuranc	The compliance periods for the submission of annual financial	https://www.resbank.co.z
		е	statements by banks, controlling companies, mutual banks, and	a/Publications/Detail-Item-
			insurers, has been extended by the Prudential Authority, in	View/Pages/Publications.a
			response to COVID-19. Banks, controlling companies and	spx?sarbweb=3b6aa07d-
			branches of foreign institutions are given a 60-day extension and	<u>92ab-441f-b7bf-</u>
			must submit their consolidated annual financial statements	bb7dfb1bedb4&sarblist=2
2020/04/09	FSCA/PA	All financial	A Directive has been issued to financial institutions regarding	https://www.resbank.co.z
		sectors	appropriate precautionary measures when performing essential	a/Lists/News%20and%20P
			financial services. Directive under the Regulations in terms of	ublications/Attachments/
			section 27(2) of the Disaster Management Act, 2002	9856/9%20April%202020
2020/04/09	Government	General	A new Directive detailing measures to address, prevent and	http://www.gpwonline.co.
			combat the spread of COVID-19 with regards to human resources	za/Gazettes/Gazettes/432
			has been issued. The Directive provides for, among others: (a)	17_08-04_Health.pdf
			additional health personnel to be recruited or seconded and	
			deployed in strategic areas; (b) a shortened recruitment process	
			in relation to critical COVID-19 related posts; (c) the sourcing of	
			all retired health personnel, community services personnel,	
			extended public works programme workers, Community Based	
			Organisations and NGOs to fill positions on a temporary basis to	
			assist in responding to the pandemic; and (d) accommodation	
			providers to inform the Department of Health of visitors from	
2020/04/06	Industry	Insurance	The South African Insurance Association SAIA, representative	https://saia.co.za/saia-
	Association-		body for the non-life insurance industry, made the following	news/2020/04/06/saia-
	SAIA		commitments on behalf of its members: (i)Insurers will expedite payments for work done to assist with the	media-cov-19/
			cash flow of their suppliers, and especially small businesses.	
			(ii)Assist small businesses impacted negatively by COVID 19 by	
			contributing to Solidarity Fund or another fund – amount to be	
			determined.	
			•Pre-payment of claims or parts thereof before final assessment	
			and full indemnity payment, increasing the "grace" period for	
			premium payment. •Business interruption (BI) claims due to COVID-19 to be	
			considered on a case by case basis.	
			•Premium holidays on a case by case basis	
			•Paying suppliers in shorter periods to assist with improved cash	
			flow in the system.	

2020/04/04	Competition	All financial	New Competition Tribunal rules have been published to regulate	https://www.gov.za/sites/
,,	Commission	sectors	complaint referrals for alleged contraventions of section 8(1)(a)	default/files/gcis_docume
			of the Competition Act, 1998 (Abuse of dominance), read with	nt/202004/43205rg43205
			Regulation 4 of the Consumer and Customer Protection	gon448.pdf
			Regulations (Excessive pricing), and the National Disaster	<u>derrie pri</u>
			Management Regulations and Directions, during the period of the	https://www.gov.za/sites/
			COVID-19 Lockdown period. The Tribunal may direct that urgent	default/files/gcis docume
			complaint referral proceedings be conducted wholly as video or	nt/202003/4311619-
2020/04/03	FSCA	Insurance	The Financial Sector Conduct Authority has published a	https://www.fsca.co.za/R
,,			communication that outlines the its expectations regarding the	egulatory%20Frameworks
			culture and responsibilities of insurers and financial services	/Temp/FSCA%20COMMU
			providers in respect of premium collection of funeral policies	NICATION%2014%200F%2
			during the COVID-19 crisis. Insurers are advised to take into	02020%20(INS).pdf#searc
			consideration that the Policyholder Protection Rules issued ito	h=fsca%20communication
			the Long-term Insurance Act, 1998, provide for a grace period in	%2014%20of%202020
			instances where a premium has not been paid on its due date.	
2020/04/03	FSCA	All financial	Due to the impact of the COVID-19 on the financial services	https://www.fsca.co.za/R
		sectors	industry; the FSCA has extended the period for regulated persons	egulatory%20Frameworks
			(with a financial year end Dec 2019 or Jan 2020) to have their	/Temp/FSCA%20Communi
			accounting records and annual financial statements audited – by	cation%2015%20of%2020
			2 months. The period of compliance with certain JSE Listing and	20%20(FM).pdf#search=co
			Debt Listing timeframes are similarly extended by 2 months.	mmunication%2015%20of
2020/04/03	Competition	All financial	As a result of the COVID-19 pandemic, the COMESA Competition	https://www.comesacom
	Commission	sectors	Commission has issued interim processes for merger reviews.	petition.org/wp-
			Parties to a merger are encouraged to submit all notifications and	content/uploads/2020/03
			filing of mergers and acquisitions electronically. Parties will not be	/Notice_4_2020COVID_19
			expected to submit the hard copies within the specified 7 days	Merger-Reviews-Interim-
			under the COMESA Merger Assessment Guidelines. As long as the	Measures.pdf
			parties have engaged the Commission on the notification process,	
			they will not be penalised for failure to submit complete	

2020/04/02	Government	General	Critical amendments to the Lockdown Regulations have been	http://www.gpwonline.co.
, _ ,			published. The amendment allows for all Cabinet Ministers to	za/Gazettes/Gazettes/431
			issue Directives required by their relevant portfolios during the	99 02-4 COGTA.pdf
			national lockdown period. Changes have been made to the	
			requirements for movement of persons cross-border and in	
			respect of funerals/cremations. Taxis are allowed to now carry	
			70% of their licenced capacity. New essential goods and services	
			have been added. Provision is made for the establishment of a	
2020/04/01	Government	All financial	A debt relief finance scheme has been implemented to assist	https://www.gov.za/sites/
, _ ,		sectors	Small, Medium and Micro-sized Enterprises which are, directly or	default/files/gcis docume
			indirectly affected by COVID-19. Among others, companies must:	nts/SMME%20Debt%20Re
			(a) have been registered with the Companies and Intellectual	lief%20Scheme.pdf
			Property Commission, by at least 28 February 2020; (b) be 100%	· · · ·
			owned by South African citizens; and (c) be registered and	
			compliant with the South African Revenue Service and the	
2020/03/31	FSCA	All financial	The Financial Sector Conduct Authority has published a	https://www.fsca.co.za/R
		sectors	communication that outlines its expectations on Regulated	egulatory%20Frameworks
			Entities regarding the culture and main responsibilities of	/Temp/FSCA%20COMMU
			financial institutions during the COVID-19 crisis. Financial	NICATION%2012%200F%2
			institutions must ensure that all customers are treated fairly	02020%20(GENERAL).pdf
			during the entire product cycle, from advertising, sales, claims,	
			renewals and complaints. Profiteering off those that are	
2020/03/30	CIPC	All financial	The Companies and Intellectual Property Commission ("CIPC")	http://www.cipc.co.za/file
		sectors	has closed all services relating to companies, closed corporations	s/5515/8504/8297/Notice
			and co-operatives including its call centre, self service centres and	<u>Company_Close_Corpora</u>
			online enquiry system, among others, from 24 March 2020 to 1	tion_Co-
			April 2020. Other deadlines relating to the filing of returns, name	operative_services_during
			reservations and business rescue have also been extended.	_government_lock_down
2020/03/30	FSCA	Insurance	The FSCA published a media statement on insurers peforming	https://www.fsca.co.za/N
			medical underwriting during lockdown period.	ews%20Documents/FSCA
				%20Press%20Release%20
				FSCA%20statement%20on

2020/03/30	Government	General	A media statement relating to an online portal to register	http://www.thedti.gov.za/
2020/03/30	Government	General		
			businesses that provide essential goods and services during the	editmedia.jsp?id=7187
			lockdown period has been published. Most of the companies are	
			in the food supply, medical and pharmaceutical services and	
			transport services. A further update will be provided on	
			communication platforms as to the number of registered	
2020/03/30	Government	General	The Department of Trade and Industry has issued guidelines for	http://www.gpwonline.co.
			the completion of the permit to perform essential services during	za/Gazettes/Gazettes/431
			the COVID-19 lockdown period. All staff permitted to work during	48 25-3 COGTA.pdf
			the lockdown period must always carry an original "permit to	
			perform essential service" and a photo identification issued by	http://www.gpwonline.co.
2020/03/27	FSCA	All financial	The comment date for the Adviser Categorisation Discussion	https://www.fsca.co.za/R
		sectors	Document and the Second Investments Related matters	egulatory%20Frameworks
			Discussion Document has been extended to 15 May 2020, due to	/Temp/FSCA%20COMMU
			the impact of COVID-19 on South Africa.	NICATION%208%200F%20
2020/03/27	Government	General	Key amendments to the Disaster Management Act in response to	http://www.gpwonline.co.
			the outbreak of the COVID-19 coronavirus pandemic has been	za/Gazettes/Gazettes/431
			published. It makes provision for operations of non-essential	68 26-3 COGTA.pdf
			services to be performed remotely from employees' homes and	
			outside the Republic. Private vehicles may carry a maximum of	http://www.gpwonline.co.
			60% of its licensed capacity; all other vehicles may carry to a	za/Gazettes/Gazettes/431
			maximum of 50% of the licensed capacity. Persons will be allowed	48 25-3 COGTA.pdf
			to claim compensation for loss and damage arising out of any	
			bona fide action or omission by an enforcement officer under	http://www.gpwonline.co.
			these Regulations. Baby products and personal toiletries have	za/Gazettes/Gazettes/431
			been added to the list of Essential Goods. Several additional	07_18-3_COGTA.pdf

2020/03/27	Government	General	The purpose of the Directive is to facilitate the availability and use	http://www.gpwonline.co.
			of digital technologies to combat the spread of COVID-19 in South	za/Gazettes/Gazettes/431
			Africa, though, among others, (a) ensuring the smooth operations	<u>64 26-</u>
			of the electronic communications industry (telecommunications	3 Telecommunications.pd
			infrastructure and services) as essential services during the	<u>f</u>
			disaster period; and (b) enabling electronic communications	
			service licensees and other service providers to rapidly deploy	
			networks and facilities as contemplated in the Electronic	
			Communications Act, 2005, thus increasing the demand and	
2020/03/26	CIPC	All financial	A new practice notice has been issued by the Companies and	http://www.cipc.co.za/file
		sectors	Intellectual Property Commission. The Commission will issue	s/1015/8504/6745/Practic
			notices, and if necessary, compliance notices to companies, which	e_Note_1_of_2020.pdf
			the Commission has reasonable grounds to believe is trading or	
			carrying on business recklessly, with gross negligence or for a	
			fraudulent purpose. The Commission will not invoke its powers in	
			the case of a company which is temporarily insolvent and still	
			carrying on business or trading, unless the Commission has	
			reason to believe that the insolvency is due to business	
2020/03/26	CIPC	All financial	Due to the national lockdown the Companies and Intellectual	http://www.cipc.co.za/file
		sectors	Property Commission has closed its offices until 30 April 2020.	s/5515/8504/8297/Notice
			Documents relating to legal proceedings and extensions of any	<u>Company_Close_Corpora</u>
			time periods that fall due during the lockdown period will now be	tion_Co-
2020/03/26	Government	General	Key amendments to the Disaster Management Act in response to	http://www.gpwonline.co.
			the outbreak of the COVID-19 coronavirus pandemic has been	za/Gazettes/Gazettes/431
			published. This includes the addition of new regulations setting	07_18-3_COGTA.pdf
			out the expected code of conduct among those within the	
			borders of South Africa during the upcoming 21-day national	http://www.gpwonline.co.
			lockdown, starting on Thursday 27 March 2020 at midnight until	za/Gazettes/Gazettes/431

2020/03/24	FSCA	All financial	The Financial Sector Conduct Authority acknowledges the impact	https://www.fsca.co.za/R
		sectors	of the COVID-19 on South Africa in general and the financial	egulatory%20Frameworks
			services industry specifically. The Authority is aware of the	/Temp/FSCA%20COMMU
			challenges the regulated entities might face in complying with	NICATION%209%200F%20
			various regulatory requirements. As a result, the Authority has	2020%20(GENERAL).pdf#s
			communicated various arrangements in respect of submission of	earch=communication%20
			statutory returns and fit and proper related deadlines. The	<u>9%20of%202020</u>
			Authority will accommodate anyone that is experiencing	
			problems in complying with specific regulatory requirements	
2020/03/24	Government	General	The President has addressed the country to announce further	
			measures to combat the COVID-19 pandemic. The National	
			Coronavirus Command Council has decided to enforce a nation-	
			wide lockdown from midnight on Thursday, 26 March 2020, until	
			midnight on Thursday, 16 April 2020. The supply of goods remains	
2020/03/19	Government	General	Treasury Instruction No. 8 of 2019/2020 - Emergency	http://www.treasury.gov.z
			Procurement in response to National State of Disaster	a/legislation/pfma/Treasu
				ryInstruction/National%20
				Treasury%20Instruction%2
				<u>008%202019-2020%20-</u>
2020/03/19	Government	General	New Consumer and Customer Protection and National Disaster	http://www.gpwonline.co.
			Management Regulations and Directions have been published	za/Gazettes/Gazettes/431
			effective from 19 March 2020. The purpose of the Regulations is	<u>16_19-3_DTI.pdf</u>
			to: (a) promote concerted conduct to prevent an escalation of	
			COVID-19 and to alleviate, contain and minimise the effects	
			thereof; and (b) protect consumers and customers from unfair	
2020/03/18	Government	General	Media Statement by the National Treasure on the escalation of	http://www.treasury.gov.z
			procurement scams amid Covid-19 environment.	a/comm_media/press/20
				20/2020031801%20Media
				%20statement%20-
2020/03/18	Government	General	New Regulations in terms of the Disaster Management Act in	http://www.gpwonline.co.
			response to the outbreak of the COVID-19 coronavirus pandemic	za/Gazettes/Gazettes/431
			has been published. This includes the addition setting out the	07_18-3_COGTA.pdf
			steps necessary to prevent an escalation of the disaster or to	

2020/03/15	Government	General	Owing to the magnitude and severity of the COVID-19 pandemic,	http://www.gpwonline.co.
			it has been classified a national disaster and a national state of	za/Gazettes/Gazettes/430
			disaster has been declared.	<u>96_15-</u>