

South African Reserve Bank

From the Office of
the Registrar of Banks

Ref: 15/8/3

D8/2016

2016-12-13

To: All banks, controlling companies, branches of foreign institutions, eligible institutions and auditors of banks or controlling companies

Directive 8/2016 issued in terms of section 6 (6) of the Banks Act, 1990

Reporting requirements relating to material outsourced service providers and critical third-party service providers

Executive summary

The outsourcing of functions or activities that were traditionally executed within banks, controlling companies or branches of foreign institutions (hereinafter collectively referred to as banks) has increased substantially in recent years. This increasing trend in outsourcing arrangements may be due to a variety of reasons, which may include matters related to a reduction in cost or the achievement of specific strategic objectives.

Ultimately the board of directors of a bank is responsible for setting the bank's tolerance for risk and the senior management of the bank has to ensure that all relevant risk exposures are managed within the risk tolerance level set by the bank's board of directors, which will, of course, include risks that may arise from or be related to the outsourcing of specific functions or activities.

Supervisors have to continuously assess and evaluate, among other things, how well banks are managing and mitigating their respective exposures to risk, including risks that may arise from outsourcing. For this purpose, supervisors often require banks to submit specified information within time intervals.

The purpose of this directive is to direct all banks to submit specified information in respect of their outsourcing arrangements within timelines.

This directive replaces Directive 8/2015 issued on 23 June 2015.

1. Introduction

1.1 This Office previously issued Banks Act Guidance Note 5/2014, titled Outsourcing of functions within banks'-

1.1.1 to remind banks of the potential risks that may arise from the use of service providers; and

- 1.1.2 to provide guidelines to banks in respect of the assessment and management of risks pertaining to outsourcing relationships.
- 1.2 To this end, the definitions as contained in paragraph 2 of GN5/2014 refer.
- 1.3 In order-
 - 1.3.1 to obtain a better understanding of banks' exposures to risks arising from their outsourcing arrangements; and
 - 1.3.2 to identify any mutual or common exposure to operational risk or potential vulnerability within the banking sector, this Office has decided to require banks to submit specified information in respect of top material outsourced service providers.
- 1.4 Despite the fact that banks have no control over critical third-party service providers, such as Eskom and Telkom, and banks are unable to produce their own electricity and telecoms lines, this Office still requires specified information in respect of these critical third party service providers, in order to measure concentration, exposure and vulnerability. Banks are also required to include specified information in respect of banking industry service providers, such as SBV and Bankserv.

2. Directive related to required information

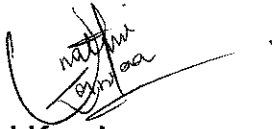
- 2.1 Based on the aforesaid, and in accordance with the provisions of section 6(6) of the Banks Act, 1990, banks are hereby directed to submit to this Office the information specified in Annexure A and Annexure B-
 - 2.1.1 in respect of the twelve-month period that ends on 31 December of each relevant year, that is, from 31 December 2016, onwards;
 - 2.1.2 which information shall be submitted within 30 business days following the relevant reporting date to which the information relates; and
 - 2.1.3 which information shall be submitted in respect of the relevant bank on a consolidated basis, regardless of the level where the contract/s might have been signed. In the case of a branch of a foreign institution, the information shall relate only to the relevant branch of the foreign institution conducting business in the Republic.
- 2.2 Banks shall use the Excel format of Annexure A and Annexure B, which is necessary for capturing and submission purposes.

3. Sign-off

- 3.1 Annexure A and Annexure B shall be signed-off by the chief risk officer of the bank, and attested by the chief executive officer of the bank.

4. Acknowledgement of receipt

- 4.1 Two additional copies of this directive are enclosed for the use of your institution's independent auditors. The attached acknowledgement of receipt, duly completed and signed by both the chief executive officer of the institution and the said auditors, should be returned to this Office at the earliest convenience of the aforementioned signatories.



Unathi Kamlana
Deputy Registrar of Banks

Encl. 2

The previous directive issued was Directive 7/2016, dated 24 November 2016.