

Report by the Directorate of Market Abuse

The DMA (Directorate of Market Abuse) held its 45th meeting at the FSB (Financial Services Board) on 30 November 2017.

Below is a list detailing the current status of insider trading and prohibited trading practices investigations. It should be noted that these investigations are not into the affairs of the companies listed but into trading in shares on the stock exchange.

Possible insider trading cases

Security	JSE Code	Period	Case status
1. Famous Brands Limited	FBR	2017-10	Ongoing
2. Lewis Group Limited (nr 1)	LEW	2015-01 – 2016-04	Closed
3. SacOil Holdings Limited (nr 4)	SCL	2011-02 – 2011-08	Ongoing
4. Steinhoff International Holdings N.V.	SNH	2017-08	Ongoing
5. Super Group Limited (nr 2)	SPG	2017-09 – 2017-10	Ongoing
6. Times Media Group Limited	TMG	2014-01 – 2014-03	Enforcement
7. Vodacom Group Limited	VOD	2017-10	Ongoing
8. WG Wearne Limited	WEA	2017-09	Ongoing
9. Wheat Futures Contracts	WEAT	2017-04 – 2017-05	Ongoing

Possible prohibited trading practices (market manipulation) cases

Security	JSE Code	Period	Case status
10. December 2016 WEAT	WEAT	2016-09	Ongoing
11. Lewis Group Limited (nr 3)	LEW	2015-06 – 2015-07	Closed
12. 15 June 2016 ALSI Futures Contract	15June16 ALSI	2016-04	Ongoing
13. Oakbay Resources and Energy Limited (nr 2). See note below.	ORL	2014-11 – 2015-04	Ongoing
14. SABMiller PLC	SAB	2016-03-09	Ongoing

Security	JSE Code	Period	Case status
15. The Foschini Group Limited	TFG	2016-03-09	Ongoing
16. White Maize Futures Contract 24 March 2017	WMAZ	2017-03-24	Ongoing
17. White Maize Futures December 2015	WMAZ	2015-07-01 – 2015-07-02	Closed

Note: The FSB is investigating possible price manipulation in Oakbay Resources and Energy Limited shares after it listed in November 2014 and **not** prior to listing, as the FSB does not have jurisdiction to investigate trading in shares prior to their listing on an exchange or in unlisted securities.

Possible false or misleading reporting cases

Below is a list detailing the current status of possible false or misleading reporting investigations.

Security	JSE Code	Publication	Case status
18. African Dawn Capital Limited	AFD	2007-03-01 - 2010-06-30	Ongoing
19. Alliance Mining Corporation Limited	ALM	2007-03-01 - 2009-09-30	Ongoing
20. Lewis Group Limited (nr 2)	LEW	2015-01 – 2016-10	Ongoing
21. Wheat Futures Contracts	WEAT	2017-04 – 2017-05	Ongoing
22. White Maize Futures December 2015	WMAZ	2015-07-01 – 2015-07-02	Enforcement

Investigations are "Closed" once it becomes evident that no, or insufficient evidence has been obtained to warrant action in terms of the Act.

Note to Editors

The DMA is a committee of the FSB and is mandated to investigate, and in appropriate instances, take enforcement action in cases of market abuse on the financial markets. Three kinds of market abuse are prohibited in South Africa, namely insider trading, market manipulation (prohibited trading practices) and false reporting relating to the affairs of a public company.

The DMA can refer cases of insider trading to the FSB Enforcement Committee. In such cases the Enforcement Committee may order that the alleged offender to pay to the FSB the profit made or the losses avoided as a result of the offending transactions, and a penalty of up to three times such amount. These funds are distributed, after recovery of costs, to persons who may have been prejudiced by the offending transactions.

Market manipulation and false reporting cases can also be referred to the Enforcement Committee that can impose a penalty and a cost order on the alleged offender.

In addition market abuse transgressions are criminal offences in terms of the Act. The Director of Public Prosecutions may institute criminal action against any person.

It is not the function of the DMA to institute criminal prosecutions but would provide all information necessary to assist the Director of Public Prosecutions.

Since 1999, the DMA, and its predecessor, the Insider Trading Directorate investigated a total of 395 cases. 290 cases were closed because there was no, or insufficient evidence that the Financial Markets Act, No. 19 of 2012 (or the now repealed Insider Trading Act and Securities Services Act) was contravened. In 91 cases the DMA decided to proceed with enforcement action. The penalties imposed on offenders to date amounts to approximately R106 million.

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