

**Studies and Articles**



**The Role of Regulatory Bodies and Other  
Role-Players in the Promotion of Financial  
Inclusion in South Africa<sup>1</sup>**

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**Abstract:** The promotion of financial inclusion is vital for the combating of financial exclusion in many countries, including South Africa. Nonetheless, most of the poor and low-income earners are still struggling to have access to basic financial products and financial services in South Africa. This status *quo* has been, *inter alia*, caused by several factors such as the lack of a specific statute for financial inclusion, the lack of a specific regulatory body to enforce that statute and the adoption of inadequate measures by the government and other role-players to effectively promote financial inclusion for the poor and low-income earners in South Africa. It is against this background that this article discusses the role of the government, regulatory bodies and other relevant role-players in the promotion of financial inclusion in South Africa. In this regard, the role of the South African Reserve Bank (SARB), the Banking Association South Africa (BASA), the National Consumer Tribunal (NCT), the National Credit Regulator (NCR), the National Treasury and the National Consumer Financial Education Committee (NCFEC), the Financial Sector Conduct Authority (FSCA) and the Prudential Authority (PA) is discussed. This is done to investigate whether these regulatory bodies and role-players have adopted adequate measures to robustly and consistently combat financial exclusion of the poor and low-income earners in South Africa.

**Keywords:** financial inclusion; financial exclusion; role-players; low-income earners; regulatory bodies

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## 1. Introductory Remarks

Various efforts have been made by the government and other relevant role-players to curb financial inclusion in South Africa. For instance, legislation such as the National Credit Act 34 of 2005 as amended (“NCA”, see ss 3; 4; 60-66; 72), the Consumer Protection Act 68 of 2008 as amended (“CPA”, see ss 3; 4 & 8-78), the Financial Services Board Act 97 of 1990 as amended (“FSB Act”, see ss 2-29), the South African Reserve Bank Act 90 of 1989 (“SARB Act”, see ss 3-38), the Financial Intelligence Centre Act 38 of 2001 as amended (“FICA”, see ss 21; 22 & 22A), the Financial Institutions (Protection of Funds) Act 28 of 2001 as amended (“Protection of Funds Act”, see ss 6A-6I) and the Financial Sector Regulation Act 9 of 2017 (“FSRA”, see ss 57(b) & 58) were enacted to, *inter alia*, improve consumer information standards, promote fair marketing and business practices for all financial consumers and to regulate some aspects of financial inclusion in South Africa (Sithole, 2018, pp. 3-60). The South African government also adopted an ambitious long term goal to achieve at least 90% financial inclusion of all people by 2030, in its National Development Plan (“NDP”, see National Planning Commission, 2012, pp. 109-217; Mathe, 2017, page number unknown).

Financial inclusion entails, *inter alia*, the development and provision of affordable financial products and services to all persons in a country by the relevant government, banks and/or other role-players (Mohieldin, Iqbal, Rostom and Fu, 2011, pp. 1-55). On the other hand, financial exclusion is the failure or inability of certain persons to access and use formal financial services and financial products in a country at reasonably cheap and affordable prices (Warsame, 2009, pp. 16-46). The promotion of financial inclusion is vital for the combating of financial exclusion in many countries, including South Africa. Nonetheless, most of the poor and low-income earners are still struggling to have access to basic financial products and financial services in South Africa (Nanziri, 2016, pp. 110-114). This status *quo* has been, *inter alia*, caused by several factors such as the lack of a specific statute for financial inclusion, the lack of a specific regulatory body to enforce that statute and the adoption of inadequate measures by the government and other role-players to effectively promote financial inclusion for the poor and low-income earners in South Africa (Abrahams, 2017, pp. 632-640). Accordingly, the South African government, banks and/or other role-players should take appropriate and adequate measures to combat financial exclusion of the poor and low-income earners in South Africa. It is against this background that this article discusses the role of the government, regulatory bodies and other relevant role-

players in the promotion of financial inclusion in South Africa. In this regard, the role of the South African Reserve Bank (SARB), the Banking Association South Africa (BASA), the National Consumer Tribunal (NCT), the National Credit Regulator (NCR), *the National Consumer Commission (NCC)*, the National Treasury and the National Consumer Financial Education Committee (NCFEC), the Financial Intelligence Centre (FIC), the Financial Sector Conduct Authority (FSCA) and the Prudential Authority (PA) is discussed. This is done to investigate whether these regulatory bodies and role-players have adopted adequate measures to robustly and consistently combat financial exclusion of the poor and low-income earners in South Africa (Arun and Kamath, 2015, p. 281).

## **2. The Role of Regulatory Bodies and Other Role-Players**

### **2.1. The Role of the FSCA**

The Financial Services Board (FSB) was initially established under the FSB Act to, *inter alia*, supervise and ensure compliance with the relevant laws that regulate the provision of financial services and financial products by financial institutions in South Africa (s 2 read with s 3(a) of the FSB Act). The FSB was further empowered to develop and promote financial education and financial literacy programmes by financial institutions and/or other bodies representing relevant persons in the entire South African financial services industry (s 2 read with s 3(b) & (c) of the FSB Act). Although these efforts are commendable, the FSB Act did not expressly provide for the financial inclusion of the poor and low-income earners in South Africa. Furthermore, the FSB Act did not expressly oblige the FSB and/or any other specific body to promote financial exclusion for the poor and low-income earners in South Africa (ss 2-29 of the FSB Act). The FSB only managed to promote and obtain about 51% financial literacy levels among all persons in South Africa during its tenure. This means that only a few financial customers had the relevant financial knowledge on how to access basic financial services and financial products in South Africa during the tenure of the FSB (Abrahams, 2017, pp. 632-640). Thus, the FSB failed to achieve much success in its effort to develop and promote financial education programmes for all financial customers, especially the poor and low-income earners in South Africa.

The FSB was replaced by the FSCA which was established under the FSRA (ss 56-75). The FSCA has several functions and powers to regulate and supervise the conduct of financial institutions and to co-operate with other regulatory authorities

in accordance with the relevant financial sector laws so as to promote sustainable and fair provision of financial products and financial services in South Africa (s 58(1)(a)-(d) of the FSRA). The FSCA monitors the delivery and provision of financial services and financial products to all financial customers in the financial sector to promote fairness and appropriateness of such products and services in South Africa (s 58(1)(i) of the FSRA). Moreover, the FSCA oversees the regulation of the entire financial sector industry in order to identify risks and take appropriate reasonable steps to mitigate such risks (s 58(1)(f) of the FSRA). The FSCA is also obliged to promote financial inclusion by developing and implementing strategies for the promotion of financial education to all persons in South Africa (s 58(1)(e) & (j) of the FSRA). The FSCA promotes the efficiency, stability and integrity of the financial markets through adequate financial education programmes that protect financial customers against unfair treatment by financial institutions in South Africa (s 57 of the FSRA; also see Viljoen, Lallo and Bunge, 2018, pp. 2-16). Put differently, the FSCA is required to provide adequate financial education to all financial customers in South Africa (s 57(b)(ii) of the FSRA; Morgan & Pontines, 2014, pp. 3-14; Morgan, Zhang & Kydyrbayev, 2018, pp. 1-29). Although the introduction of the FSCA should be welcomed, more still needs to be done to ensure that the FSCA effectively promotes financial literacy and financial education programmes for all financial customers in South Africa. Most poor and low-income earners are yet to receive appropriate financial education on how to access basic financial services and financial products in South Africa. A robust approach by the FSCA in this regard could enhance the promotion of financial inclusion and enable all financial customers to make informed financial decisions in order to avoid over-indebtedness and other related challenges in South Africa (Wentzel, 2016, pp. 329-339).

## **2.2. The Role of the PA**

The PA is established as an independent juristic regulatory authority that is administered by the SARB (s 32 of the FSRA). Accordingly, the PA is mainly aimed at the promotion of the safety and soundness of market infrastructures and financial institutions that provide financial products and securities services in South Africa (s 33(a) & (b) of the FSRA). Moreover, the PA is required to maintain financial stability and protect financial customers against any systemic financial risks from financial institutions that fail to meet their operational and statutory obligations in South Africa (s 33(c) & (d) of the FSRA). The PA has a direct supervisory role on banks and other financial conglomerates that provide basic

financial services and financial products to all persons in South Africa (s 34(1)(a) of the FSRA). In this regard, the PA is obliged to co-operate with other regulatory bodies and role-players such as the SARB, the Financial Stability Oversight Committee (FSOC), the Competition Commission (CC), the FSCA, the NCR, the FIC and the Council for Medical Schemes (CMS), on matters of mutual interest to promote fair provision of financial products and financial services for all persons in South Africa (s 34(1)(b)-(d) of the FSRA). Interestingly, the PA is also required to co-operate with similar regulatory authorities in other jurisdictions (s 34(3) read with (2) of the FSRA). This suggests that the PA has extra-territorial powers to enforce and execute its functions in terms of the FSRA. The PA is also directly required to promote financial inclusion by taking appropriate steps to mitigate any identified systemic financial risks in the South African financial sector (s 34(1)(e) & (f) read with (4) & (5) of the FSRA). Nonetheless, the FSRA does not expressly provide any guidelines on how the PA could promote financial inclusion in South Africa, especially for the poor and low-income earners (see ss 32-55). It is, however, submitted that the PA promotes financial inclusion through collaborating with the SARB to monitor its financial technology (FinTech) developments to regulate cryptocurrencies and related aspects that could possibly promote financial inclusion in South Africa (Kessler, *et al*, 2017, pp. 3-15). In spite of this, the FSRA does not expressly empower the PA to act as a specific regulatory body that regulate and promote financial inclusion in South Africa (ss 32-55 of the FSRA; see further Godwin, 2017, pp. 151-153). Consequently, it remains to be seen whether the PA will successfully and effectively promote financial inclusion for the poor and low-income earners in South Africa (ss 32-55 of the FSRA).

### **2.3. The Role of the National Treasury and the NCFEC**

The National Treasury oversees the management of national government finances in South Africa. It promotes efficient and sustainable public financial management to enhance financial-economic development, good governance and socio-economic development in South Africa (see ss 213-230 of the Constitution of the Republic of South Africa, 1996, “constitution”; the Public Finance Management Act 1 of 1999 as amended (“Public Finance Act”, ss 5-16). The National Treasury must ensure more transparency, proper accountability and sound financial controls for the effective management of public finances in South Africa so as to curb money laundering, corruption and other illicit practices (ss 5-16 of the Public Finance Act). The National Treasury further promotes consumer finance education to increase financial literacy and financial inclusion in South Africa. In this regard,

the National Treasury established the NCFEC in 2012. NCFEC members include representatives of trade unions, civil society, financial industry associations, the ombudsman schemes, financial self-regulatory organisations, government departments, provincial treasuries and non-governmental organisations (NGOs). The NCFEC reports directly to the Minister of Finance and its meetings are sometimes chaired by members of the National Treasury. The FSB used to act as the secretariat of the NCFEC. However, it is not clear whether the FSCA is currently empowered to act as the secretariat of the NCFEC under the FSRA. The NCFEC was mainly established to promote financial education and financial literacy in South Africa, especially among the poor and low-income earners that were previously economically and politically disadvantaged by draconian apartheid policies (Organisation for Economic Co-operation and Development “OECD”, 2016, pp. 1-62). Additionally, the NCFEC supervises the implementation of financial education strategies in accordance with the National Treasury’s directives so as to promote financial education for all persons in the South African financial sector (OECD, 2016, pp. 1-62).

The NCFEC seeks to eliminate financial exclusion through its financial educational programmes that teaches financial customers to avoid reckless lending and over-indebtedness (OECD, 2016, pp. 1-62; the Department of Trade and Industry, 2019, pp. 2-12; Atkinson & Messy, 2013, pp. 7-49). In this regard, the National Treasury, the FSCA, the Financial Services Consumer Education Foundation (FSCEF) and the NCFEC jointly introduced and successfully launched the “Money Smart Week South Africa” (MSW) in 2018 as a financial education programme to promote financial inclusion of the poor and low-income earners and to curb over-indebtedness in South Africa. The MSW introduced various financial education programmes for financial customers in both public and private financial sectors in South Africa. Nevertheless, neither the National Treasury nor the NCFEC is expressly empowered to specifically and exclusively act as a regulatory authority that promotes financial inclusion in South Africa.

#### **2.4. The Role of the SARB**

The SARB was established as a juristic person that protects and maintains a good value of the South African currency to promote sustainable economic growth in South Africa in terms of the SARB Act (see ss 2-3). The SARB is mainly responsible for the making and issuing of bank notes and bank coins. It also implements relevant rules and procedures to establish, conduct, monitor, regulate and supervise payment, clearing and/or settlement systems in South Africa (s 10 of

the SARB Act). The SARB is primarily responsible for the supervision of banking and related financial institutions in South Africa (ss 10 & 10A of the SARB Act; also see Sibanda & Sibanda, 2016, pp. 1-36; Shawe & Colegrave, 2019, page number unknown; Mnyande, 2010, pp. 1-10). The SARB regulates the currency and exchange rates to curb money laundering and allow all persons to make lawful financial transactions in South Africa and elsewhere (s 10 of the SARB Act).

Additionally, the SARB accepts money on deposit and allows interest on such deposit or on a portion of a deposit and it may collect money for other persons to enable all persons to have lawful access to basic financial services and financial products in South Africa (s 10(1)(e) of the SARB Act). Despite this, it is not very clear how the SARB promotes financial inclusion, especially for the poor and low-income earners in South Africa. Accordingly, it is submitted that the SARB should carefully exercise its supervisory role over banks and related financial institutions to ensure sufficient cash circulation and effective payments systems that enables all persons to have access to basic financial services and financial products at fair and affordable costs in South Africa (ss 10 & 10A of the SARB Act).

## **2.5. The Role of the NCR**

The NCR was established as an independent body that regulates all consumer credit and consumer credit financing related matters in South Africa (s 12 of the NCA). The NCR is obliged to conduct research on consumer credit and policy development and report to the relevant Minister on, *inter alia*, the participation of historically disadvantaged persons in the credit industry (including low-income earners) and the levels of consumer indebtedness in South Africa (s 13(a)-(d) of the NCA). Moreover, the NCR is required to register credit providers and make the credit market and credit industry accessible to all financial consumers, especially the historically disadvantaged persons, low-income earners and the isolated remote South African communities (s 13(a)-(d) of the NCA). The NCR is also mandated to investigate consumer complaints in a manner consistent with the NCA (s 13(a)-(d)). The NCR is also empowered to suspend and/or cancel any registration issued in terms of the NCA for any credit providers, credit bureaux or debt counsellors that do not comply with the provisions of the same Act (s 14 of the NCA). The NCR monitors the consumer credit market and credit industry to ensure that any prohibited conduct is promptly detected, investigated, prosecuted, prevented and/or referred to the NCT for further adjudication (ss 14-15 read with ss 16-25 of the NCA). It is encouraging to note that the NCR is obliged to protect the historically disadvantaged persons, the poor and the low-income earners against over-

indebtedness, reckless and predatory lending in South Africa (ss 12-16 of the NCA; see further Mondlana, 2018, p.16). Nonetheless, although the NCR protects financial consumers against over-indebtedness, predatory lending and reckless lending, it is not expressly empowered to promote financial inclusion and/or to serve as a regulatory body that exclusively promotes financial inclusion under the NCA (ss 12-25; also see Mondlana, 2018, p. 16; Rootman & Antoni, 2015, pp. 475-494). Accordingly, the NCR has not achieved much success in the promotion of financial inclusion for the poor and low-income earners in South Africa to date.

## **2.6. The Role of the NCT**

The NCT was established as an independent body that adjudicates upon all credit-related disputes that are referred to it under the NCA (ss. 26 & 27 of the NCA), the CPA or any other legislation. The NCT is a tribunal of record that has jurisdiction on all credit-related disputes across South Africa (s 26 of the NCA). In other words, the NCT provides a redress platform to aggrieved financial credit consumers so as to resolve credit matters and advance socio-economic welfare to all persons, especially the poor and low-income earners in South Africa. The NCT will only adjudicate upon any matter referred to it by the NCR in the consumer court of the province within which the complainant resides, or in which the respondent has its principal place of business in South Africa (s 141(1)-(3) read with ss 140 & 142-151 of the NCA). Thus, after the investigations into the complaints are completed, the NCR may refer the matter to the NCT in terms of the NCA (ss. 139 & 140 read with s 141 of the NCA). The NCT must conduct a fair hearing into any matter referred to it in terms of the NCA subject to the provincial legislation governing the operation of the consumer court in question (s 141(4) of the NCA). Put differently, the NCT must conduct its hearings in public, in accordance with the rules and procedures stipulated in the NCA (s 142 read with ss 143-147). Thereafter, the NCT may impose costs against the offender (s 147 of the NCA). Any person aggrieved by the decision of the NCT may appeal and apply for a review in respect thereof to the High Court (s 148 read with ss 149-152 of the NCA). Notably, the orders, administrative fines and/or any decision of the NCT may be enforced as if it were an order of the High Court and they are binding upon all the relevant persons (s 152 read with ss 148-151 of the NCA). The NCT provides a good forum upon which financial consumers who have credit-related disputes may seek redress outside the ordinary court procedure which is normally long and bureaucratic (Ssebagala, 2017, pp. 236-244). Nonetheless, although the



NCT plays a crucial role in addressing credit-related disputes, it does not directly and expressly promote financial inclusion for all persons in South Africa.

### **2.7. The Role of the NCC**

The NCC was established as an independent body that promotes consumer rights and advocates for consumer protection in South Africa (s 85 read with ss 86-106 of the CPA). Nevertheless, the fact that the relevant Minister may appoint NCC commissioners and issue policy directives to the NCC in relation to the investigation of any alleged offences as well as the application, administration and enforcement of the provisions of the CPA could suggest that the NCC is not entirely independent (ss 86-88 of the CPA). Interestingly, the term “consumer” is broadly defined to include any person to whom particular goods or services are marketed in the ordinary course of the supplier’s business, or any person who has entered into a transaction with a supplier in the ordinary course of the supplier’s business, unless the transaction is exempt from the application of the CPA in terms of section 5(2) and (3) of the same Act (s 1 of the CPA). The term “consumer” also means a user of particular goods or a recipient or beneficiary of particular services, irrespective of whether that user, recipient or beneficiary was a party to a transaction concerning the supply of those particular goods or services or franchisee in terms of a franchise agreement (s 1 read with s 5(6) (b)-(e) of the CPA).

The NCC has jurisdiction to promote consumer protection and co-operatively work with provincial consumer protection authorities (PCPA) across South Africa (ss 84-85 of the CPA). The NCC and the PCPAs should detect and combat all prohibited conduct in terms of the CPA (s 83(4)-(6) read with ss 84-85). The NCC is also empowered to have regard to international developments on consumer protection, develop codes of practice and conduct research on the promotion of consumer protection, legislative reform and recommend or advise the Minister in respect thereof (ss 92-96 & 98 of the CPA). In addition, the NCC may further co-operate with other regulatory bodies and role-players on the promotion of consumer protection in South Africa (s 97 of the CPA). The NCC is obliged to receive consumer-related disputes, investigate complaints concerning alleged prohibited conduct and issue compliance notices against the offenders (ss 99 & 100 of the CPA). The offenders may object such compliance notices and the NCT may review such objections on the merits of each case. Accordingly, the NCT may confirm, modify or cancel all or part of the compliance notice in question (s 101 of the CPA). All complex matters may be referred by the NCC to the NCT and/or the

National Prosecuting Authority (“NPP”, see ss 99-102 of the CPA). The NCC has powers to search and seize any premises that are within the jurisdiction of the judge or magistrate where it is reasonably believed that an offence is taking place, or is likely to take place in such premises (ss 103-104 read with s 105 of the CPA). Despite all these commendable efforts, it is regrettable to note that the NCC is not expressly and statutorily empowered to directly or indirectly deal with the promotion of financial inclusion in South Africa.

### **2.8. The Role of the FIC**

The FIC was established as a juristic regulatory body that is empowered in terms of the FICA and section 195 of the constitution to identify any proceeds of unlawful activities in order to combat illicit money laundering and the financing of terrorist and related activities in the South African financial sector (ss 2-3 of the FICA). In this regard, the FIC is required to co-operate with other regulatory authorities such as the NPA, the intelligence service, the South African Revenue Service (SARS), the Independent Police Investigative Directorate (IPID), the Intelligence Division of the National Defence Force, the Special Investigating Unit and the Public Protector (s 3(2)(a) of the FICA). Likewise, the FIC is encouraged to co-operate with regulatory bodies and/or enforcement authorities with similar objectives in other jurisdictions to effectively detect and combat money laundering and the financing of terrorist-related activities in South Africa (ss 3(2)(b) & 4(b) of the FICA). The FIC is empowered to monitor and give guidance to accountable institutions, regulatory bodies and other role-players on their performance and compliance with the relevant provisions of the FICA (s 4 read with s 5 of the FICA). Furthermore, the relevant Minister has the power to appoint or remove the director of the FIC (ss 6 & 7 of the FICA). This could imply that the FIC is not entirely independent in its operations since the Minister may appoint his or her preferred candidates to be directors of the FIC. Nevertheless, the FIC may refer suspected offences to the South African Police Service (SAPS) and other enforcement role-players in South Africa (s 44 read with s 45 of the FICA). In spite of this, the FIC is not statutorily authorised to directly or indirectly promote any programmes for financial inclusion for all persons in South Africa.

## 2.9. The Role of the BASA

The *BASA* is an association or body that represents about 33 registered banks in South Africa (Carrim, Fubbs, Wicomb, 2017, pp. 1-31). Its origins dates back to March 1992 when the Council of South African Banks (COSAB) was formed by four separate associations, namely the Association of Mortgage Lenders, the Merchant Bankers Association, the Clearing Bankers Association and the Association of General Banks to deal with specific aspects of the banking sector. Thereafter, COSAB was changed to the Banking Council South Africa (BCSA) in March 1998, to curb certain challenges that were affecting the South African banking sector. However, both the COSAB and the BCSA did not specifically deal with the promotion of financial inclusion in South Africa. Eventually, the BCSA was changed to BASA in March 2005 to redefine its representative mandate and oversight role over its member-registered banks in South Africa (Carrim, Fubbs, Wicomb, 2017, pp. 1-31). Unlike its predecessors, the BASA now promotes financial inclusion in South Africa. In this regard, the BASA submits that all people may escape poverty if the government, financial institutions and other relevant role-players attracts more investments in their health, education and businesses. The BASA and its partners such the South African Savings Institute (SASI) launched various financial education and financial literacy programmes such as the Teach Children to Save South Africa (TCTSSA) in 2008 and the StarSaver programme which are mainly aimed at teaching children the importance of saving their moneys in the formal financial sector (Wentzel, 2016, pp. 329-339; Coovadia, 2018, pp. 8-9). Moreover, in 2018, the Market Conduct Division of the BASA engaged with relevant authorities on the Conduct of Financial Institutions (COFI) Bill 2018, as part of its efforts to promote financial inclusion in South Africa. Notably, the COFI Bill sought to review and regulate the treatment of financial customers in the South African financial services industry (Coovadia, 2017, pp. 2-15; Coovadia, 2018, pp. 8-9). Moreover, the BASA requires financial institutions and related role-players to comply with the Broad-Based Black Economic Empowerment Code (B-BBEE) in order to promote transformation and financial inclusion of poor and low-income earners in the South African formal banking sector (Coovadia, 2018, pp. 8-11).

The BASA acknowledges the fact that most of the poor and low-income earners in South Africa and other countries do not usually qualify to access basic financial services and financial products owing to, *inter alia*, onerous requirements by financial institutions (Coovadia, 2017, pp. 2-15; Coovadia, 2018, pp. 8-9; the

Finmark Trust, 2015, pp. 1-12). Consequently, the poor and low-income earners are forced to rely on cash, which is expensive and hard to manage since they are excluded from the formal financial sector in South Africa. For instance, it is submitted that only about 77% of adult South African persons have access to bank accounts while the rest are still financially excluded from accessing the formal financial sector (Coovadia, 2018, pp. 8-9; Coovadia, 2017, pp. 2-15; the Finmark Trust, 2015, pp. 1-12). Thus, despite BASA's efforts to promote better financial inclusion of the poor and low-income earners, about 23% of the adult South African population is still financially excluded from accessing basic financial services and financial products in the formal financial sector in South Africa (Coovadia, 2018, pp. 8-9).

### **3. Concluding Remarks**

Various statutory and related measures were introduced from time to time by the South African government, policy makers, financial institutions and other relevant role-players in a bid to promote financial inclusion for all persons in South Africa. As discussed above, more still needs to be done to enhance the combating of financial exclusion in South Africa, especially for the poor and low-income earners. For instance, about 23% of the adult South African population which comprises mostly of poor and low-income earners is still financially excluded from accessing the formal financial sector in South Africa (Abrahams, 2017, pp. 632-640; Coovadia, 2018, pp. 8-9). Consequently, it is submitted that the policy makers should introduce an adequate and separate statute that specifically and expressly deals with financial inclusion in South Africa to promote financial inclusion for all persons, particularly the poor and low-income earners. This statute should be robustly and consistently enforced to effectively promote financial inclusion for all persons in South Africa. In addition, the policy makers and other relevant authorities should consider establishing a specific regulatory body to enforce and promote financial inclusion in South Africa. This regulatory body should be empowered to impose harsher penalties upon financial institutions that do not comply with the provisions for financial inclusion. The government and other role-players should also seriously consider adopting adequate measures to combat financial exclusion so as to effectively promote financial inclusion for the poor and low-income earners in South Africa (Abrahams, 2017, pp. 632-640). It is further hoped that the recently adopted twin-peaks model of banking regulation under the

FSRA will be robustly enforced to promote and improve financial inclusion in South Africa.

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- Financial Intelligence Centre Act 38 of 2001 as amended.
- Financial Institutions (Protection of Funds) Act 28 of 2001 as amended.
- Financial Sector Regulation Act 9 of 2017.
- Financial Services Board Act 97 of 1990 as amended.
- Inspection of Financial Institutions Act 80 of 1998.
- National Credit Act 34 of 2005 as amended.
- South African Reserve Bank Act 90 of 1989.