

## NOTICE

### **STATUS OF DIRECTIVES AND GUIDANCE PRODUCTS ISSUED BY THE FINANCIAL INTELLIGENCE CENTRE BEFORE 2 OCTOBER 2017**

1. The Minister of Finance determined the commencement dates of certain sections of the Financial Intelligence Centre Amendment Act, 2017 (Act 1 of 2017) (FIC Amendment Act) on 13 June 2017. A full schedule of the commencement dates of the various sections of the FIC Amendment Act can be accessed [here](#).
2. The amended Money Laundering and Terrorist Financing Control Regulations (the MLTFC Regulations) and the withdrawal of the Exemptions made in terms of the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) (FIC Act), took effect on 2 October 2017.

#### **Status of directives**

3. All directives issued by the Financial Intelligence Centre (the Centre) remain in effect.

#### **Status of guidance products**

4. The schedule below indicates the status of all guidance products (Guidance Notes and Public Compliance Communications) issued in terms of section 4(c) of the FIC Act (Schedule of Status of Issued Guidance Products), in the following categories:
  - 4.1 Guidance products that are unaffected by the commencement of the amendments to the FIC Act and the MLTFC Regulations and the withdrawal of the Exemptions and therefore continue to apply;
  - 4.2 Guidance products that will be amended and reissued in due course and continue to apply in their current form until they are reissued.

### **Schedule of Status of Issued Guidance Products**

- 4.3 Guidance products that apply up until 1 October 2017 are withdrawn by this Notice with effect from 2 October 2017.
5. All guidance products issued prior to 2 October 2017 should continue to be referenced for purposes of compliance, supervision and enforcement of the requirements of the FIC Act for the period prior to 2 October 2017.

Ends.

**Issued by the Financial Intelligence Centre**

**04 December 2017**

## Schedule of Status of Issued Guidance Products

### 1. PUBLIC COMPLIANCE COMMUNICATIONS

Number	Topic	Status	New reference
PCC01	Establishment of the PCC Series	Remain	
PCC02	Period for record keeping of matters reported to the FIC	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Section 23 has been amended to address the keeping of records relating to STRs
PCC03	Client identification and verification matters relating to account opening procedures for asylum seekers and refugees	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7
Revised PCC03A	Supplementary information applicable to PCC03 electronic verification systems of asylum seeker and refugee permits	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapters 1 and 2 of Guidance Note 7
PCC04	Obligations arising from the FIC Act pertaining to the Voluntary Disclosure Programme	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	
PCC05B	Registration with the FIC by accountable and reporting institutions and acquisition of login credentials by any other business with a reporting obligation under the FIC Act	To be amended in line with amendments to FIC Act and reissued	
PCC06	Clarity on Item 2 of Schedule 1 of the FIC Act	To be amended in line with amendments to FIC Act and reissued	
Revised PCC07	The definition of a motor vehicle dealer for the purposes of schedule 3 of the FIC Act	Remain	
PCC08	Duties of estate agents including provisions of exemption 11 in terms of the FIC Act	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapters 1 and 2 of Guidance Note 7
PCC09	Identification and verification of loyalty programme members in the casino industry in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapters 1 and 2 of Guidance Note 7

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<b>Number</b>	<b>Topic</b>	<b>Status</b>	<b>New reference</b>
PCC10	The client of an estate agent	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7
PCC11	The closing of a client's account by an accountable institution amounts to a transaction in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7 (Inability to conduct due diligence)
PCC12	Outsourcing of compliance activities to third parties	To be amended in line with amendments to FIC Act and reissued	
PCC13	Scope of item 12, Schedule 1 to the FIC Act.	Remain	
PCC14	Client identification and verification requirements when a person acts on the authority of another.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7
PCC15	The acceptance of a smart card document issued by the department of Home Affairs for client identification and verification purposes.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7
PCC16	Interpretation of the term "readily available information" for the purposes of cash threshold reporting in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 5B
PCC17	Definition of Kruger Rand dealer for purposes of the FIC Act.	Remain	
PCC18	Training and appointment of a compliance officer by accountable institutions in terms of Section 43 of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 4 of Guidance Note 7 and sections 42A and 43 of the FIC Act
PCC19	Formulation and implementation of internal rules for different accountable institutions within a complex group structure.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 4 of Guidance Note 7 and section 42(2).
Revised PCC20	Client identification and verification requirements for	Withdrawn with effect from	Chapters 1 and 2 of Guidance Note 7

**Schedule of Status of Issued Guidance Products**

<b>Number</b>	<b>Topic</b>	<b>Status</b>	<b>New reference</b>
	non-face-to-face transactions online betting transactions.	2 October 2017, applicable until 1 October 2017	
PCC21	Scope and application of exemption 17 in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapters 1 and 2 of Guidance Note 7
PCC22	Client identification and verification requirements in relation to international or foreign data protection laws	To be amended in line with amendments to FIC Act and reissued	
PCC23	The scope and meaning of Item 11 of Schedule 1 to the FIC Act.	Remain	
Revised PCC24	Verification requirements of South African companies and close corporations in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of the Guidance Note 7
PCC25	Scope of Item 12 to the FIC Act	To be amended in line with withdrawal of exemption and reissued	
PCC26	Single client view	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 1 and 2 of Guidance Note 7 and Guidance Note 5B
PCC27	Status of expired documents relating to client identification and verification requirements for asylum seeker and refugees in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7
PCC28	Terrorist property reporting obligations for Accountable Institutions.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 6
PCC29	Clarity on the application and use of exemption 4	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapters 1 and 2 of Guidance Note 7
PCC30	Customer identification and verification of casino junket	To be amended in line with	

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<b>Number</b>	<b>Topic</b>	<b>Status</b>	<b>New reference</b>
	agents and their underlying clients in terms of the FIC Act.	amendments to FIC Act and withdrawal of exemptions and reissued	
PCC31	The acceptance of funds by an accountable institution prior to the completion of the prescribed client identification and verification requirements.	To be amended in line with amendments to the FIC Act and reissued	
PCC32	The scope of cross border remittance exemption to the FIC Act	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 1 of Guidance Note 7
PCC33	Use of the Department of Home Affairs HANIS verification service for SABRIC member banks to establish and verify the identity of a client in terms of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 2 of Guidance Note 7
PCC34	Facilitation of reporting to the FIC for institutions from 8 March to 22 April 2016	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Notes 4A, 5B and 6
PCC35	Failure of the control, processes and working methods of an accountable institution in relation to formulation and implementation of internal rules in terms of Section 42 of the FIC Act.	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Chapter 4 of Guidance Note 7
PCC36	Obligations arising from the FIC Act pertaining to the 2016 Special Voluntary Disclosure Programme	Remain	
PCC37	Obligations of Reporting Institutions in terms of the FIC Act.	Remain	
PCC38	The mode of communication regarding sections 27, 32, 34 and 35 of the FIC Act.	To be amended in line with amendments to FIC Act and reissued	

**Schedule of Status of Issued Guidance Products**

**2. GUIDANCE NOTES**

<b>Number</b>	<b>Topic</b>	<b>Status</b>	<b>New reference</b>
GN1	Guidance concerning identification of clients	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 7
GN2	Guidance to Financial Services Industries regulated by the Financial Services Board concerning the meaning of the word "Transaction"	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 7
GN3	Guidance for Banks on customer identification and verification related matters	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 7
GN3A	Guidance for accountable institutions on customer identification and verification related matters	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 7
GN4	Guidance on reporting of suspicious and unusual transactions and activities to the FIC in terms of Section 29 of the FIC Act	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 4A
GN4A	Guidance on reporting of suspicious and unusual transactions and activities to the FIC in terms of Section 29 of the FIC Act	Applicable from 2 October 2017	
GN5	Guidance on cash threshold reporting to the FIC in terms of Section 28 of the FIC Act	Superseded by GN5A	
GN5A	Guidance on cash threshold reporting to the FIC in terms of Section 28 of the FIC Act	Withdrawn with effect from 2 October 2017, applicable until 1 October 2017	Guidance Note 5B

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<b>Number</b>	<b>Topic</b>	<b>Status</b>	<b>New reference</b>
GN5B	Guidance on cash threshold reporting to the FIC in terms of Section 28 of the FIC Act	Applicable from 2 October 2017	
GN6	Guidance on terrorist Financing and terrorist property reporting obligation in terms of Section 28A of the FIC Act	Applicable from 2 October 2017	
GN7	Guidance on the implementation of various aspects of the FIC Act	Applicable from 2 October 2017	

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The Financial Intelligence Centre  
04 December 2017**