

CONSULTATION NOTE

RELATING TO THE DRAFT PUBLIC
COMPLIANCE COMMUNICATION 111
GUIDANCE ON THE MEASURES REQUIRED
FOR THE MITIGATION OF LOSS OF
INTELLIGENCE DATA DUE TO REPORTING
FAILURES

18 November 2020

INTRODUCTION

1. The Financial Intelligence Centre (the Centre) has issued [draft public compliance communication 111 \(draft PCC 111\)](#) for consideration by all accountable and reporting institutions and other persons required to report in terms of section 42B of the Financial Intelligence Centre Act, 2001 (Act 38 of 200) (FIC Act).

BACKGROUND

2. Directive 3 of 2014 (Directive 3) was published on 12 September 2014. Directive 3 applies to all accountable and reporting institutions and other persons required to report in terms of the FIC Act (collectively referred to as reporters). Directive 3 requires reporters to provide notification of failure to report to the Centre.
3. Since the commencement of Directive 3 various reporters have used the Directive 3 process inaccurately. The Centre identified the need to provide guidance and clarity to reporters on the Directive 3 process.
4. When reviewing draft PCC 111 it must be noted that it seeks to align the application of the Directive 3 process and provide guidance to reporters on the remediation and other measures required to mitigate the loss of intelligence data.
5. The Centre further aims to provide guidance on defective reports that are submitted to the Centre. Although it is not required to follow a Directive 3 process, reporters must remediate these reports to ensure that the correct intelligence information is made available to the Centre.
6. The guidance elaborates on the remediation of reporting errors and seeks to assist in the prevention of reporting errors.

CONCLUSION

7. Comments on draft PCC111. Comments must be in writing and submitted via the online comments submission link only ([here](#)). Questions relating to this draft PCC111

FOR CONSULTATION PURPOSES ONLY

must be sent to the Centre only at **consult@fic.gov.za**. Submissions will be received until close of business **Friday, 18 December 2020**.

8. The Centre intends on concluding the consultation on this draft PCC 111 by publishing a final version no later than Friday, 22 January 2021.

COMMUNICATION WITH THE CENTRE

9. General compliance queries can be directed to the Compliance Contact Centre on 012 641 6000 and select option 1. Queries can also be submitted online by clicking on <http://www.fic.gov.za/ContactUs/Pages/ComplianceQueries.aspx> or by visiting the Centre's website and submitting an online compliance query.

Issued By:

The Director Financial Intelligence Centre

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CENTURION

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