

A large decorative graphic on the left side of the page, composed of overlapping triangles and squares in various shades of blue and grey, creating a geometric pattern.

DIRECTIVE 6/2022

**SCREENING OF EMPLOYEES FOR
COMPETENCE AND INTEGRITY AND
SCRUTINISING OF EMPLOYEES AGAINST
APPLICABLE TARGETED FINANCIAL
SANCTIONS LISTS AS A MONEY
LAUNDERING, TERRORIST FINANCING AND
PROLIFERATION FINANCING CONTROL
MEASURE**

FOR CONSULTATION PURPOSES ONLY

This Directive consists of four parts:

- 1. Purpose of the Directive**
- 2. Directive**
- 3. Effective Date and Non-Compliance**

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1. Purpose of the Directive

- 1.1 The purpose of this Directive is to require accountable institutions to screen prospective employees and current employees for competence and integrity, as well as scrutinise employee information against the targeted financial sanctions lists, in order to identify, assess, monitor, mitigate and manage the risk of money laundering, terrorist financing and proliferation financing.

2 Directive

- 2.1 This Directive is issued by the Financial Intelligence Centre in terms of section 43A(1) of the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001) (the FIC Act.)
- 2.2 This Directive applies to all accountable institutions.
- 2.3 Accountable institutions must screen prospective employees and current employees for competence and integrity in a risk-based manner, regularly.
- 2.4 An accountable institution must scrutinise its information concerning prospective employees and current employees upon—
- (a) publication of a proclamation by the President under section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004; or
 - (b) notice being given by the Director under section 26A(3) of the FIC Act, to determine whether any such prospective employee or current employee, is a person mentioned in the proclamation by the President or the notice by the Director.
- 2.5 The accountable institution must provide for, and record, the manner in which screening for competence and integrity, as well as the manner in which scrutinising of employee information against targeted financial sanctions lists in terms of paragraph 2.3 and 2.4, will be conducted.
- 2.6 An accountable institution must keep a record of the outcome of the screening for competence and integrity as well as the scrutinising employee information against targeted financial sanctions lists as required in terms of paragraph 2.3. and 2.4.

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- 2.7 The recordal relating to both the manner of screening and the outcomes of such screening as required in terms of paragraph 2.5 and 2.6 must, on request, be made available to the Centre or a supervisory body which performs regulatory or supervisory functions in respect of that accountable institution.

3 Effective Date and Non-Compliance

- 3.1 This Directive becomes effective after 3 months from date of publication in the *Government Gazette*.
- 3.2 Failure to comply with this Directive may result in the imposition of an administrative sanction, in accordance with section 45C of the FIC Act.

4 Consultation

- 4.1 Before issuing Directives to accountable institutions and other persons regarding their performance, duties and obligations in terms of the FIC Act or any directive made in terms of the FIC Act, the Centre must in accordance with section 43A(7) of the FIC Act—
- 4.1.1 Publish a draft of the guidance by appropriate means of publication and invite submissions.
- 4.1.2 Consider submissions received.
- 4.2 Commentators are invited to comment on the draft directive by submitting written comments via the online comments submission link [here](#). Any questions or requests relating to this draft directive may be sent to the Centre only at **consult@fic.gov.za**. Submissions will be received **until close of business on Friday, 19 August 2022**, by close of business.

**Issued by:
The Financial Intelligence Centre
29 July 2022**