



financial intelligence centre

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Question and Answers

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The Financial Intelligence Centre launches a new communication platform – Public Compliance Communications

1. What is a Public Compliance Communication?

A Public Compliance Communication (PCC) is a new tool that the Financial Intelligence Centre (the Centre) will introduce and use to publish its view on the meaning of certain provisions of the Financial Intelligence Centre Act No. 38 of 2001 (the FIC Act) and its subordinate legislation.

2. What is the Centre's rationale in introducing the PCCs?

The guidance provided in the form of a PCC will be focused on very specific issues which arise from complexities concerning compliance with the FIC Act and its subordinate legislation.

3. Is there a difference between a Guidance Note and a PCC?

A PCC will be issued under section 4(c) of the FIC Act and has the same status as a Guidance Note. A PCC like a Guidance Note provides the Centre's view on a particular issue as well as practical application of the FIC Act. The Centre will continue publication of Guidance Notes in conjunction with the PCCs.

4. Does the PCC have legal status?

This form of guidance will have the same legal status as the Guidance Notes that have been, and will continue to be, issued by the Centre. The guidance provided in a PCC will therefore be authoritative, but should not be regarded as legal advice. The guidance provided in PCC, as with other forms of guidance which the Centre provides, cannot replace the FIC Act and its subordinate legislation, nor can it add onto, or detract from, the legal obligations created in the Act and subordinate legislation.

5. Revision of PCCs?

PCCs will not be seen as static documents and the Centre intends that the PCCs will continually be reviewed and revised.

6. Accessibility to PCCs?

All PCC's will be available on the Centre's website www.fic.gov.za and a notice will be sent to all relevant stakeholders alerting them to the publication of new documents on the site.