
ADMINISTRATIVE SANCTION
VARIETY MOTORS CC

HAVING CONSIDERED ALL AVAILABLE FACTS, INFORMATION, FACTORS AND REPRESENTATIONS, THE FINANCIAL INTELLIGENCE CENTRE HEREBY **IMPOSES** THE FOLLOWING **ADMINISTRATIVE SANCTION AND RECOMMENDATION**:

1. In terms of section 45C(3)(b) of the Financial Intelligence Centre Act 38 of 2001(**the FIC Act**), the Financial Intelligence Centre (**the Centre**) hereby reprimands Variety Motors CC (**Variety Motors**) for failing to comply with section 43B(1) of the FIC Act, read with Regulation 27A(1) of **Money Laundering and Terrorist Financing Control Regulations (the Regulations)**.
2. In terms of section 45C(3)(e) of the FIC Act, the Centre hereby imposes a financial penalty on Variety Motors in the amount of R372, 507.00 for failing to comply on 67 counts with **section 28** of the FIC Act, read with Regulations 22B and 24(4) of the Regulations.
3. Variety Motors is directed to pay the financial penalty of R20, 000.00 on or before 20 December 2018.
4. The payment of the remaining R352, 500.00 of the total financial penalty is hereby suspended for a period of 3 years from the date of this Administrative **Sanction**, on condition that Variety **Motors** remains fully compliant with its reporting obligations in terms of **section 28** of the FIC Act.
5. In terms of **section 45C(3)(a)** of the FIC Act, Variety **Motors** is cautioned not to repeat the conduct that led to its non-compliance with section 28 of the FIC Act and should the **institution** be found to be **non-compliant** therewith within the 3 year **suspension** period, the suspended penalty of R352, 500.00 becomes **immediately** payable.

6. The Financial penalty is payable via electronic fund transfer to:

Account Name : NRF – FIC Act Sanctions
Account Holder : National Treasury
Account Number : 80552749
Bank : South African Reserve Bank
Code : 910145
Reference : FIC Sanction – Variety Motors/2018

7. Proof of payment must be submitted to the Centre at enforcement@fic.gov.za.

8. In addition, the Centre recommends that Variety Motors:

8.1 Acquaint itself and comply with the Centre's new registration and reporting system, *goAML*, all Directives, Guidance Notes and Public Compliance Communications, all of which are available on the Centre's website at www.fic.gov.za

8.2 Acquaint itself with **the** specific provisions of section 28 of the FIC Act and implement proper procedures to facilitate compliance with section 28 of the FIC Act, conduct a daily reconciliation of all its transactions and banks statements so as to timeously identify and report **cash** transactions in excess of the prescribed threshold when applicable.

8.3 Acquaint itself with the specific provisions of section 29 of the FIC Act and implement proper **internal** procedures to facilitate compliance with section 29 of FIC Act so as to timeously identify and report suspicious and unusual transactions when applicable.

Signed at Centurion on this the 23 day of November 2018.



ADV XOLISILE KHANYILE
DIRECTOR