
ADMINISTRATIVE SANCTION
APEX TRUCK AND TRAILER (PTY) LTD

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)(c) of the Financial Intelligence Centre Act 38 of 2001 (**the FIC Act**), the Financial Intelligence Centre (**the Centre**) hereby reprimands Apex Truck and Trailer (Pty) Ltd (**Apex Truck and Trailer**) for failing to comply with Directive 4/2016 as issued by the Centre in terms of section 43A(1) of the FIC Act.
2. In terms of section 45C(3)(e) of the FIC Act, the Centre hereby imposes a financial penalty on Apex Truck and Trailer of R1, 389, 366.00 for failing to comply on 59 counts with section 28 of the FIC Act, read with Regulations 22B and 24(4) of the Money Laundering and Terrorist Financing Control Regulations (**the Regulations**).
3. Apex Truck and Trailer is directed to pay the financial penalty as specified in the Notice of Sanction.
4. The payment of the remaining balance of the total financial penalty is hereby suspended for a period of 3 years from the date of this Administrative Sanction, on condition that Apex Truck and Trailer remains fully compliant with its reporting obligations in terms of section 28 of the FIC Act.
5. In terms of section 45C(3)(c) of the FIC Act, Apex Truck and Trailer is directed to remediate the transactions as listed in Annexure B hereto, within 5 days of receipt of this Notice and confirm in writing to the Centre in terms of Directive 03/2014, the remediation of such transactions or reason for failure to remediate.
6. In terms of section 45C(3)(a) of the FIC Act, Apex Truck and Trailer 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 becomes immediately payable.

7. 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 : **900145**
Reference : **FIC Sanction – Apex Truck and Trailer/2021**

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

9. In addition, the Centre recommends that Apex Truck and Trailer:

9.1 Acquaint itself and comply with the Centre's 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.

9.2 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.

9.3 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 4th day of March 2021.


ADV XOLISILE KHANYILE
DIRECTOR