
**ADMINISTRATIVE SANCTION
CAPITAL POINT PROPERTIES**

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 (**FIC Act**), the Financial Intelligence Centre (**Centre**) hereby reprimands Capital Point Properties (Pty) Ltd, with registration number 2015/004758/07 (**Capital Point**), for failing to comply with section 42(1), 42(2) (failure to develop and implement the RMCP) and 28A(3) (scrutinise clients against the TFS list) of the FIC Act, and Directive 6 of 2023 (submit a risk and compliance return) issued by the Centre on 31 March 2023.
2. In terms of section 45C(3)(c) of the FIC Act, the FIC hereby imposes a directive on Capital Point to comply with section 42(2C) of the FIC Act, by reviewing the institutions RMCP at regular intervals to ensure the RMCP remains relevant to the institutions operations and the achievement of the requirements as stated in section 42(2). (The institution must ensure it first reviews its enterprise-wide business risk assessment regularly and that same provides for existing and new evolving risks the business may face, as prior requirements for the regular review of its RMCP).
3. In terms of section 45C(3)(e) of the FIC Act, the FIC hereby imposes a financial penalty on Capital Point in the amount of R108 000 for its failure to comply with section 42 of the FIC Act in that they did not develop and implement the RMCP timeously.
4. In terms of section 45C(3)(c) of the FIC Act, the FIC hereby imposes a directive on Capital Point to comply with section 28A(3) of the FIC Act, to scrutinise all the

institutions clients against the TFS list. The process and procedures to screen the institutions new and existing clients, in compliance with section 28A(3) of the FIC Act, must be clearly documented in the institutions RMCP.

5. In terms of section 45C(3)(e) of the FIC Act, the FIC hereby imposes a financial penalty on Capital Point in the amount of R108 000 for failing to comply with section 28A(3) of the FIC Act in that the institution did not scrutinise its clients against the TFS list.
6. In terms of section 45C(3)(e) of the FIC Act, the FIC hereby imposes a financial penalty on Capital Point in the amount of R50 000 for failing to comply with Directive 6 of 2023 on or before 31 May 2023.
7. In terms of section 45C(3)(a) of the FIC Act, Capital Point is cautioned not to repeat the conduct that led to the non-compliance with Directive 6 of 2023, sections 42 and 28A(3) of the FIC Act.
8. The total financial penalty (R266 000) is payable on or 15 May 2024 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 – Capital Point/2023-24**

9. Proof of payment must be submitted to the Centre at enforcement@fic.gov.za.
10. In addition, the Centre recommends that Capital Point acquaint itself with the relevant provisions of the FIC Act, the Centre's *goAML* system, all Directives, Guidance Notes and Public Compliance Communications, all of which are available on the Centre's website at www.fic.gov.za.

Signed at Centurion on this the 4 day of March 2024.


MR PIETER SMIT
ACTING DIRECTOR
04/03/2024 