

MEDIA RELEASE

9/5/1/3

FIRST COURT ORDER ISSUED TO HELP IN FIGHT AGAINST TERRORIST FINANCING

13 February 2025: South Africa has issued its first <u>court order</u> in terms of section 23 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act 33 of 2004) (<u>POCDATARA Act</u>), on Tuesday, 11 February 2025.

Section 23 primarily deals with the freezing of terrorist-related property by an application to court for a freezing order. This is the first such freezing order since the amendment of the POCDATARA legislation in 2022. Refer to the published notice TFS-586-13/02/2025 on the <u>targeted financial sanctions</u> page on the Financial Intelligence Centre (FIC) website.

The South Gauteng High Court issued the prohibition upon two individuals and two entities (the designated persons). In the order, the High Court said, there were reasonable grounds "to believe that they have committed, participated in or facilitated the commission of the offence of terrorism" which is a specified offence as defined in the POCDATARA Act.

With this prohibition in place, accountable institutions listed in the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) (FIC Act) and any affected persons are now required to take note of the contents of the court order and immediately apply a "freeze" on the property of the designated persons held by them in terms of the POCDATARA Act and immediately comply with terrorist property reporting requirements in terms of section 28A of the FIC Act.

The persons and entities identified in the court order are:

- 1. Abdirizak Mohamed Abdi JIMALE (Jimale).
- 2. Bashir Abdi HASSAN (Hassan) (ID Number: 790410 6385 186).
- 3. Almisbaax Pty Ltd, previously known as Heeryo Trading Enterprise Pty Ltd, registered in South Africa with registration number: 2012/189591/07.
- 3. Heeryo Trading Enterprise, referred to as Heeryo Trading Enterprise, registered in Somalia as an "unincorporated association", an "incorporated association" or "other legal person".

Issued by the Financial Intelligence Centre For more information please e-mail: <u>communications@fic.gov.za</u>

Note to editors: As South Africa's national centre for the gathering and analysis of financial data, the role of the Financial Intelligence Centre (FIC) is to safeguard the integrity of the country's financial system and its institutions. In pursuit of this, the Financial Intelligence Centre Act, 2001 (Act 38 of 2001), mandates the FIC to assist in the identification of the proceeds of crime and assist in combating money laundering, terrorist financing and proliferation financing, to facilitate effective supervision and enforcement of the Act.

Under this legislation, financial and non-financial institutions are required to fulfil certain compliance obligations, including registering with, and filing various regulatory reports to the FIC. The information provided in these reports forms the basis for the FIC's analysis to develop financial intelligence reports for use by a wide range of law enforcement and other competent authorities, and other institutions to facilitate the administration and enforcement of the laws of the Republic. The FIC Act also sets out the enforcement and penalty regime for non-compliance with the FIC Act.

| ITEM | 2023/24 |
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| Total institutions registered as at year end | 51 020 |
| Compliance events and attendees | 48 events and 32 914 attendees |
| Compliance inspections | 558 |
| Regulatory reports received | >7.4 million |
| Cash threshold reports received | >3.1 million |
| Suspicious and unusual transaction reports received | 414 984 |
| Financial intelligence reports disseminated | 2 654 reactive, 1 159 proactive, 111 on illicit financial flows |
| Value of suspected criminal proceeds frozen | R295.8 million |
| Value of proceeds of crime recovered, in which the FIC's financial intelligence was used | >R98.5 million |

For more about the FIC visit <u>www.fic.gov.za</u>