

**DRAFT NOTICE IN TERMS OF SECTION 43A(1)
OF THE FINANCIAL INTELLIGENCE CENTRE ACT, 2001 (ACT NO. 38 OF 2001)**

1. Title

Draft Directive 10 of 2025 on information pertaining to geographic locations to be provided with registration in accordance with section 43B of the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001).

2 Purpose

2.1 This Directive is issued by the Financial Intelligence Centre in terms of section 43A(1) of the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001).

2.2 The purpose of this Directive is to specify, in accordance with section 43B(2) of the Act, the particulars concerning an accountable institution's head office, branches, subsidiaries and branches of subsidiaries in the Republic or outside the Republic that must accompany its registration in terms of section 43B(2) of the Act.

3. Definitions

3.1 In this Directive 'the Act' means the Financial Intelligence Centre Act, 2001 (Act No 38 of 2001) and includes any regulation or directive made under the Act, and, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Act has that meaning, and—

(a) "branch" includes, but is not limited to, an office of an accountable institution, that is not a separate legal entity or a separate accountable institution, and which is located elsewhere other than at the head office of the accountable institution, where business is conducted for and on behalf of the accountable institution;

(b) "head office" means the place where an accountable institution's senior management and their direct support staff are located or, if they are located at more than one location, the place where they are primarily or predominantly located; and

(c) "subsidiary" means one or more subsidiaries of an accountable institution, alone or in any combination where the accountable institution—

- (i) is directly or indirectly able to exercise, or control the exercise of, a majority of the general voting rights associated with issued securities of that subsidiary or subsidiaries, whether pursuant to a shareholder agreement or otherwise; or
- (ii) has or have the right to appoint or elect, or control the appointment or election of, directors of that subsidiary or subsidiaries who control a majority of the votes at a meeting of the board.

4. Application

This Directive applies to every accountable institution referred to in Schedule 1 of the Act.

5. Registration of an accountable institution to be accompanied by certain particulars

5.1 An accountable institution that has operations in more than one geographic location must provide the following information when it registers with the Centre in terms of section 43B(1)—

- (a) if it has a head office, full particulars of—
 - (i) the name of the head office;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the head office; and
 - (v) the surname, first name and contact particulars of a contact person at the head office who may be contacted in relation to the registration of the accountable institution;
- (b) if it has one or more branches, in respect of each branch in the Republic, full particulars of—
 - (i) name of the branch;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the branch;

- (v) the surname, first name and contact particulars of a contact person at the branch who may be contacted in relation to the registration of the accountable institution;
- (c) if it has one or more branches outside the Republic, in respect of each branch outside the Republic, full particulars of—
 - (i) name of the branch;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the branch; and
 - (v) the surname, first name and contact particulars of a contact person at the branch who may be contacted in relation to the registration of the accountable institution;
- (d) if it has one or more subsidiaries, in respect of each subsidiary's head office in the Republic, full particulars of—
 - (i) name of the head office;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the head office; and
 - (v) the surname, first name and contact particulars of a contact person at the head office who may be contacted in relation to the registration of the accountable institution;
- (e) if it has one or more subsidiaries outside the Republic, in respect of each subsidiary's head office outside the Republic, full particulars of—
 - (i) name of the head office;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the head office; and
 - (v) the surname, first name and contact particulars of a contact person at the head office who may be contacted in relation to the registration of the accountable institution;

- (f) if the subsidiary of the accountable institution has one or more branches in the Republic, in respect of each branch, full particulars of—
 - (i) name of the branch;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the branch; and
 - (v) the surname, first name and contact particulars of a contact person at the branch who may be contacted in relation to the registration of the accountable institution; and
- (g) if the subsidiary of the accountable institution has one or more branches outside the Republic, in respect of each branch , full particulars of—
 - (i) name of the branch;
 - (ii) the license number, if applicable;
 - (iii) the registration number, if applicable;
 - (iv) the business address of the branch; and
 - (v) the surname, first name and contact particulars of a contact person at the branch who may be contacted in relation to the registration of the accountable institution.

- 5.2 Accountable institutions that are registered with the Centre on the date of commencement of this Directive must update their registration by providing the particulars mentioned in paragraph 5.1 within 90 days of the date of commencement of the Directive.
- 5.3 Accountable institutions must update the particulars provided under paragraph 5.1 within 90 days after such a change.

6. Failure to comply with the directive

An accountable institution that fails to comply with a provision of this Directive is non-compliant and is subject to an administrative sanction in accordance with section 45C of the FIC Act.

7. Commencement

This directive takes effect on the date of publication in the *Gazette*.

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