

Guideline on the electronic registration of accountable and reporting institutions – 08 December 2010

Objective of this guideline

The objective of this guideline is to define and outline in detail the steps to be followed for the registration of Accountable and Reporting Insitutions electronically with the Financial Intelligence Centre (the Centre) at <u>http://www.fic.gov.za</u>.

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Definitions

The guideline must be read in conjunction with the Financial Intelligence Centre Act No 38 of 2001 and the Money Laundering and Terrorist Financing Control Regulations for definitions of terms used in the guideline.

In this guideline, unless the context indicates otherwise:

"AI" refers to an accountable institution as listed in Schedule 1 of the FIC Act;

"FIC Act" refers to the Financial Intelligence Centre Act, 2001 (Act No 38 of 2001), as amended;

"**Regulations**" refer to the Money Laundering and Terrorist Financing Control Regulations made in terms of section 77 of the FIC Act and promulgated in Government Notice 1595 of 20 December 2002 as amended by Government Notice R456 of 20 May 2005;

"RI" refers to a reporting institution referred to in Schedule 3 of the FIC Act;

"RO" refers to a person appointed to report, "Reporting Officer", to the Centre by a reporting institution;

"S43CO" refers to a compliance officer appointed in terms of section 43 of the FIC Act;

"The Centre" refers to the Financial Intelligence Centre.

Important Note

Electronic registration is the preferred method of registration with the Centre as prescribed in the Regulations

1. Registration selection on the Centre's landing page



Figure 1: Registration selection

- Open the Centre's website by going to www.fic.gov.za;
- Click on "Registration";
- Select "Register";
- The screen below will be displayed.

STEP 1 Registration: Sele	ect Username
I am registering as	Accountable Institution
Type of Accountable Institution(s) As Per Schedule 1	A practitioner who practices as defined in section 1 of the Attorneys Act, 1 A constraint of executors or a trust company or any other person that invests, k An estate agent as defined in the Estate Agency Affairs Act, 1976 (Act 112 An authorised user of an exchange as defined in the Securities Service Act A manager registered in terms of the Collective Investment Schemes Control
Supervisory Body	 The Financial Services Board established by the F The South African Reserve Bank in respect of the The Item has been Moved The Estate Agency Affairs Board established in te
Username	XYZ Brokers
Password	IMPORTANT: Your password must be at least 6 characters long and contain at least one digit and one special character (one of *~!@#\$%^&+=)
Retype Password	
	107499
Please enter the text above	107499
	Continue >>

Figure 2: Form opening

2. STEP 1 - Registration: Select username

2.1 Registration: Select username

- Please note all fields in yellow are mandatory and must be completed.
- Select "Type of Accountable Institution..." or "Type of Reporting Institution..." you are registering as from the dropdown menu. Registration in terms of section 43B is mandatory for accountable and reporting institutions.
- The username and password that needs to be selected when registering electronically will be linked to the name and personal details of the person who submits the online application, as well as to the details of the entity to be registered. This will allow the person and entity to perform functions such as updating changes to details that have already been submitted and for submission of intelligence reports to the Centre.
- Select "Continue" to proceed to the next screen.

3. STEP 2 - Registration: Entity

STEP 2 Registration: Enti	ty
Entity Name	OTHER V XYZ Brokers
Name of Al/RI Holding Company	
Type of Entity	Ltd. Registration
Registration Number	1829230837
	Back << Continue >>

Figure 3: Entity Registration details

3.1 Registration: Entity

- Provide the registered name at the tab labelled "Entity Name". If the individual institution's registered name is not on the list, select "other" and type the name in the free text box that will appear.
- If the institution has a holding company that is also an AI or RI, the name must be provided in the tab labelled "Name of AI/RI Holding Company".

[Note: The holding company must own 50% or more of the shares of the AI or RI].

- Select "Type of Entity" from the drop down list provided. A list of options to select from will appear.
- The tab labelled "Registration Number" refers to the identification or passport number of the owner of the institution (where the institution is a sole proprietorship/partnership), alternatively it is the number that the entity is registered under.

STEP 2 Registration: E	ntity			
Entity Nan	OTHER	~		
	XYZ Broker			
Name of Al/RI Holdin Compar	ng ny			
Type of Enti	ty Partnership	~		
Please add all the par	tners of the partnership. (Maximum	5)		
Add particulars of Partner				
	Back << Contin	nue >>		
Add particulars of Par All fields in Yellow are r	tner SA ID Number	Add particulars of Pa All fields in <mark>Yellow</mark> are	tner Passpo nandatory Number	rt
Title	Mr.	Title	Mr.	~
Surname	Smit	Surname	Smit	
First Names	Jon	First Names	Jon	
Identification Type	SA Identity Number	Identification Type	Passport Number	~
Identification Number	6101120111307	Identification Number	LQ2333LT	
	Submit Close	Country of Issue	LESOTHO	~
			Submit	Close
STEP 2 Registration: Ent	ity			
Entity Name	OTHER	*		
	XYZ Broker			
Name of Al/RI Holding Company				
Type of Entity	Partnership	~		
Please add all the partne	ers of the partnership. (Maximum 5)			
Name				
Mr. Jon Smit			dit Remove	
Add particulars of Partner				
	Back << Continue	>>		

Figure 4: Registration details of partners

3.2 Registration: Partnership

- In the event that "Partnership" is selected as the "Type of Entity" you will be required to provide the details of up to 5 of the partners.
- Select "continue" to move on to the next step in the registration process.

STEP 2 Registration: Enti	ty	
Entity Name	OTHER XYZ Broker	
Name of Al/RI Holding Company		
Type of Entity	Sole Proprietorship	▼
Please specify the detail	s of the Sole Proprietor	
Identification Type	SA Identity Number	SA ID Number
Identification Number	6101120111307	
	Back << Continu	ie >>
STEP 2 Registration: Entit	y	
Entity Name	OTHER XYZ Broker	
Name of Al/RI Holding Company		
Type of Entity	Sole Proprietorship	▼
Please specify the details	of the Sole Proprietor	
Identification Type	Passport Number	
Identification Number	LQ2333LT	Number
Country of Issue	LESOTHO	v
	Back << Continue	8 >>

Figure 5: Registration details of Sole Proprietors

3.3 Registration: Sole Proprietors

- In the event that "Sole Proprietor" is selected as the "Type of Entity" you will be required to provide the sole proprietor's South African identification number where that person is a resident of South Africa, or his passport number where that person is not a resident of South Africa.
- Select "Continue" to move on to the next step in the registration process.

Entity Name	OTHER 🗸
	XYZ Broker
Name of Al/RI Holding Company	
Type of Entity	Sole Proprietorship
	Please Select
Identification Type	
Identification Number Are you a category 1 FSP only that does not collect	Please Select ✓

Figure 6 Registration as a sole proprietor FSP

3.3.1 Registration: Sole Proprietor Financial Services Provider

- If item 12 financial advisors is selected under "Type of accountable institution..." in Step 1 and "Sole Proprietorship" is selected under "Type of Entity", a question "Are you a category 1 FSP only that does not collect client funds and/or premiums and are not required to appoint an auditor or accounting officer in terms of the FAIS Act?" will appear with a "Yes" or "No" option;
- If the "Yes" option is selected, the rules will be amended to allow the sole proprietor who submitted the information to also act as validator of the information provided;
- The username will be pre-populated for the validator. The username selected by the sole proprietor in his/her capacity as S43CO will be used, but with the prefix "validator";

• With the exception of these rules, all the information required will be similar to that required for other types of entities.

4. STEP 3 - Registration: Contact Information

STEP 3 Registration: Contact Information			
Contact Details			
Telephone Numbers	South African Code - South Africa Area Code - Phone Number (e.g. +27-12-9876543)		
Business Contact Tel. No.	+ 27 (12) 345678		
Business Contact Tel. No.	+ 27 ()		
Business Fax Tel. No.	+ 27 ()		
Street Address			
Туре	Physical Address		
Country	SOUTH AFRICA		
Province	Gauteng		
City/Town	Centurion		
Suburb	Please Select		
Address	mainstreet		
Postal Code	0234		
Postal Address			
Same as Physical			
	Back << Continue >>		

Figure 6: Contact information of entity being registered

4.1 Registration: Contact Information

- 4.1.1 The information to be provided in this section is the contact information of the AI or RI that is registering and not the information of the individual completing the registration form or the validator required to authorize the registration.
- 4.1.2 In the event of the business being conducted from more than one business premise, the contact information of the registered head office of the entity should be provided, unless it is necessary to register each branch separately, as explained in the public compliance communication on registration of accountable and reporting institutions, available on the Centre's website. The following information is required:
 - Provide the contact number at the tab labelled "Business Contact Tel No.";
 - An institution may provide an alternate contact number in the next tab labelled "Business Contact Tel No.";
 - An institution may provide a fax number in the tab labelled "Business Fax Tel No.";
 - Provide the street address of the institution in the tabs provided;
 - Provide the postal address of the institution in the tabs provided;
 - If the postal address is the same as the street address select the "Same as Physical" tab provided which will pre-populate the information.

5. Step 4 - Registration: Se	ction 43 Compliance Offic	cer/Reporting Officer Details
STEP 4 Registration: See	ction 43 Compliance Officer De	etails
Title	Please Select	~
Surname of Officer		
Names of Officer		
Position of Officer		
Identification Type	Please Select	
Identification Number		
Date of Birth	2010 🗸 / Jan 💉 / 01 🔽	
Date Appointed to be Compliance Officer*	2003 🗸 / Jun 👻 / 30 👻	
Street Address Details		
Same as Institution		
Туре	Physical Address	
Country	SOUTH AFRICA	
Province	Please Select	
City/Town		
Suburb		
Address		
Postal Code		
	Back <<	Continue >>

Figure 7: Registration details of section 43 Compliance Officer

5.1 Registration: Section 43 Compliance Officer

- 5.1.1 It is important to note that, although an entity could have a compliance officer that has been appointed in terms of another Act (example the FAIS Act), the person referred to in this section is the compliance officer as envisaged in section 43 of the FIC Act who must ensure that the entity complies with the provisions of the FIC Act.
- 5.1.2 A Reporting Institution, as defined in Schedule 3 of the FIC Act, is not subject to all the obligations of the FIC Act and does not need to appoint a person (in terms of section 43 of the FIC Act) to oversee compliance with the FIC Act. The person in a Reporting Institution whose details should be completed in this section is the individual who must ensure that reporting to the Centre is done as envisaged in sections 28, 28A, 29 and 31 of the FIC Act.
- 5.1.3 Provide the details of the person appointed to fulfil the role of the entity's S43CO or RO.

Step 5 - Registration: Sec	ction 43 Compliance Officer Contact Details
STEP 5 Registration: Sec	tion 43 Compliance Officer Contact Information
Telephone Numbers	South African Code - South African Area Code - Phone Number (e.g. +27-12-9876543)
Business Contact Tel. No.	+ 27 ()
Business Contact Tel. No.	+ 27 ()
Business Fax Tel. No.	+ 27 ()
Business Mobile Tel. No.	+ 27 ()
Email Address	
Confirm Email Address	
Name of Validator	
Surname of Validator	
Validator Email Address	
Username of Validator	
	L have read and understand the legal declaration.
	Back << Submit

6. Step 5 - Registration: Section 43 Compliance Officer Contact Details

Figure 8: Contact Details of S43 Compliance Officer and Validator

6.1 Registration: Section 43 Compliance Officer and Validator Contact Information

- 6.1.1 The information to be provided in this section is the contact information of the person that is registering the entity.
- 6.1.2 The system requires that all the information initially submitted as well as any future amendments to the online information, be validated and confirmed by a validator. It is suggested that the validator be a senior person within the AI or RI. In the event that the AI or RI does not have a person to validate the information, the entity's auditor or accountant can fulfil this requirement. An

exception to the validation requirement was made for certain sole proprietors that are registered financial services providers. These sole proprietors will be able to validate their own information, as explained under 3.3.1 above.

6.1.3 Upon completion of the registration process, the validator as well as the S43CO will receive an e-mail wherein the validator will be requested to validate the correctness of the information (which he/she will be able to access through a hyperlink). If the validator confirms that the information is correct, the S43CO will again receive a mail with the request to activate the institution's account, after which the registration process will be finalised. Further e-mails will be sent to the validator to confirm that the entity is registered and to the compliance officer to confirm that his/her account has been activated.



Figure 9 Login as a S43 Compliance Officer

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7.1 Update institution records

The S43CO or RO supplies their username and password that was chosen when registering electronically.

- Select "Quick LOGIN", as indicated on the screen above;
- Click on "Registration";
- Select "Update Institution Record";
- The S43CO or RO will now be able to amend the information;
- All changes must be validated again.

CAREERS CAREERS AT FIC		
CONTACT US HOW TO FIND US	Update Institution	Details
REPORTS & REQUESTS FORMS	Institution Details	
REGIST RATION FORM	REGISTER	
Logged in as: Capattorney <u>Change Password</u> Logout	UPDATE INSTITUTION RECOR	
LEGISLATION FIC ACT & REGULATIONS	Name of Al/RI Holding Company	
COMPLIANCE GUIDANCE & SCHEDULES	Type of Institution*	Accountable Institution
FUBLIC COMPLIANCE	Type of Accountable Institution(s) As Per Schedule 1*	1. A practitioner who practices as defined in section
CTR INFORMATION DOCUMENTS & NEWS FIC ACT INFO AMENDMENTS	Supervisory Body*	7. The Item has been moved 8. A law society as contemplated in section 56 of the Attorneys Ac 9. A provincial licensing authority as defined in section 1 the National 10. None
	Type Of Entity*	Other Legal Entity Private reporter
	Registration Number*	100100
	Telephone Numbers	South African Code - South African Area Code - Phone Number (e.g. +27-12-9876543)
	Business Contact Tel. No.	+ 27 (12) 6416287

Figure 10 Update Institution Record

8. Add particulars of Money Laundering Reporti	ing Office
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Business Fax Tel. No.	+ 27 ()		
Business Mobile Tel. No.	+ 27 ()		
Email Address*			
Confirm Email Address*			
Name of Validator			
Surname of Validator			
Validator Email Address			
Username of Validator	ADLA validator		
	De-register Validator		
Money Laundering Repo	rting Officer		
Add particulars of Money Laund	ering Reporting Officer		
C I confirm that the information provided is correct, complete and true. I also accept that the information provided under "acquire login credentials" process can be used for registration in terms of Section 43B of the FIC Act.			
	Submit		

Figure 11 Registration of Money Laundering Reporting Officer

- Select "Add particulars of Money Laundering Reporting Officer";
- The screen below will be displayed.

Add particulars of Mo All fields in Yellow are a	ney Laund	ering Reporting	Officer	
Title	Please Select		~	
Surname of Officer				
Names of Officer				
Position of Officer				
Identification Type	Please Select		*	
Identification Number				
Date of Birth	2010 💙 / Ja	n 💙 / 01 💙		
Date of Appointment*	2003 💙 / Ju	n 💙 / 30 💙		
Email Address				
Confirm Email Address				
Business Contact Tel. No.	+ 27 ()			
Business Fax Tel. No.	+ 27 ()			
Username of Officer				
Street Address Details				
Same as Institution				
Туре	Physical Addres	38		
Country	SOUTH AFRICA			-
		Submit	Close	

Figure 12 Registration of Money Laundering Reporting Officer

8.1 Registration of Money Laundering Reporting Officer (MLRO)

- 8.1.1 A MLRO is envisaged to be a person in the accountable or reporting institution or in the group of an accountable or reporting institution that will be given the authority to submit reports on behalf of the entity. Registration of an MLRO is voluntarily;
- 8.1.2 All the contact details of the MLRO must be provided and must be validated by the validator.

9 Exit Application

You may now exit the application.