

FINANCIAL SECTOR CONDUCT AUTHORITY

In the matter between

THE FINANCIAL SECTOR CONDUCT AUTHORITY

and

**AGAINST PONESO EMPLOYEE BENEFITS AND ACTUARIAL CONSULTANTS
(PTY) LTD AND PONESO CONSULTING (PTY) LTD**

ADMINISTRATIVE PENALTY ORDER IN TERMS OF SECTION 167 OF THE FINANCIAL SECTOR REGULATION ACT NO.9 OF 2017

1. The Financial Sector Conduct Authority (“the Authority”) found that during the period 1 March 2016 to October 2018, Poneso Employee Benefits and Actuarial Consulting (Pty) Ltd (“Poneso Employee Benefits”) and Poneso Consulting (Pty) Ltd (“Poneso Consulting”) contravened section 10(1)(d)(ii) of the General Code of Conduct for Authorised FSPs and Representatives in that Poneso Employee Benefits and Poneso Consulting failed to keep client funds separate from those of its business.
2. The Authority imposes an administrative penalty of **R200 000** on Poneso Employee Benefits and Poneso Consulting in terms of section 167(1)(a) of the FSR Act.
3. The penalty is payable within 30 days from the date of this order.

4. If Poneso Employee Benefits and Poneso Consulting fails to pay the administrative penalty within the period prescribed by this order, in terms of section 169 of the FSR Act, interest, at the rate prescribed in terms of the Prescribed Rate of Interest Act, 1975 (Act No. 55 of 1975), will be payable in respect of any unpaid portion of administrative penalty until it is fully paid.
5. Failure to comply with this order will result in the provisions of section 170 of the FSR Act being invoked, which reads as follows:

“(1) The responsible authority that makes an administrative penalty order may file with the registrar of a competent court a certified copy of the order if-

(a) the amount payable in terms of the order has not been paid as required by the order; and

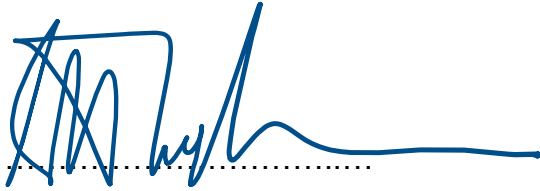
(b) either-

(i) no application for reconsideration of the order in terms of a financial sector law, or for judicial review in terms of the Promotion of Administrative Justice Act of the Tribunal’s decision, has been lodged by the end of the period for making such applications; or

(ii) if such an application has been made, proceedings on the application have been finally disposed of.

(2) The order, on being filed, has the effect of a civil judgment, and may be enforced as if lawfully given in that court.”

Signed at Pretoria on the 27th day of **May 2022**.



Brandon Topham

FOR THE FINANCIAL SECTOR CONDUCT AUTHORITY