

FSCA Press Release

01 September 2023

The FSCA welcomes Tribunal decision on Mr Craig Massyn of Praesidium group

The Financial Sector Conduct Authority (FSCA) notified the public on 5 September 2022 that it had finalised its investigation into the Praesidium group of entities - comprising Praesidium Advisory Services (Pty) Ltd (Praesidium Advisory), Praesidium Wealth (Pty) Ltd (Praesidium Wealth), Praesidium Sentinel (Pty) Ltd (Praesidium Sentinel) - and their key persons. All these entities are in liquidation.

The FSCA found that the Praesidium group of entities had contravened various financial sector laws, including section 7(1)(a) and section 7(3) of the Financial Advisory and Intermediary Services Act, 37 of 2002 (FAIS Act).

Furthermore, that the key persons and the directors of the Praesidium Group of entities had contravened, amongst others, sections 4(1) and 2 of the Financial Institutions (Protection of Funds) Act 28 of 2001 (FI Act).

[Click here](#) to access the press release on the investigation.

Following the FSCA's final decision on the matter, it duly informed the investigated parties of their right to apply for reconsideration of the decision to the Financial Services Tribunal (Tribunal). Apart from Mr. Craig Massyn (Massyn), none of the other investigated persons lodged an application for reconsideration. The FSCA is therefore in the process of executing on its decisions against the other investigated persons.

On 1 October 2022, Massyn lodged an application for reconsideration of the decision of the Authority to debar him for a period of 20 years and impose an administrative penalty of R20 million on him.

On 22 August 2022, the Tribunal dismissed Massyn's reconsideration application. Below is a [link](#) to the Tribunal's decision.

The Tribunal considered that Massyn was *'at the center of the scheme, as he was the main trader... and 'the decision on what to buy and sell fell squarely on his (Massyn) shoulders.'* The Tribunal found that as trading was solely Massyn's responsibility, it put Massyn *in a "distinguishable and on a different footing.'*

The Tribunal found that the Authority *"carefully considered all the relevant factors placed before it and imposed a penalty in accordance with the applicable provisions of the statute..."* The Tribunal further found that the Authority's decision *"...is sound in law and*

Executive Committee:

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cannot be faulted...and the Application lacks merit...” The Tribunal concluded that: “*On all the available evidence placed before this Tribunal, the Respondent’s exercise of its discretion cannot be faulted...*”

The FSCA welcomes the decision of the Tribunal and will now proceed to execute its decision against Massyn. The FSCA will also fully assist the criminal agencies in any proposed prosecution.

The FSCA reiterates its commitment to visible enforcement and credible deterrence of unlawful activities that cause harm to the investing public.

You can check whether an entity or person is suitably authorised before any purchase or investment is made, by one of the following:

- 1) **Toll-free number:** 0800 110 443
- 2) Online search for authorised financial institution **by license category:** <https://www.fsca.co.za/Regulated%20Entities/Pages/List-Regulated-Entities-Persons.aspx>
- 3) Online search for a financial institution that is an **authorised FSP in terms of the FAIS Act:** https://www.fsca.co.za/Fais/Search_FSP.htm

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