

BOARD NOTICE 89 OF 2012**FINANCIAL SERVICES BOARD****FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002****COMPLIANCE REPORT FOR A CATEGORY I FSP WITH A COMPLIANCE OFFICER, 2012**

In terms of section 17(4) of the Financial Advisory and Intermediary Services Act, 2002 (“the Act”), I, Dube Phineas Tshidi, the Registrar of Financial Services Providers, determine the manner in which the compliance report for a Category I FSP with a compliance officer must be submitted, and the matters which the report must have regard to. This determination was made after consultation with the Advisory Committee on Financial Services Providers.

- (a) A written report for the reporting period, by completing the attached schedule, or by electronically completing the schedule on the web site of the Financial Services Board (www.fsb.co.za), must be submitted to the registrar by 15 August 2012.
- (b) No answers may be provided in columns that are shaded in grey in the schedule.
- (c) In this Notice, unless the context indicates otherwise –
 - (i) any word or expression shall have the meaning that it was assigned in the Act;
 - (ii) “**Code of Conduct**” means any Code published under section 15 of the Act;
 - (iii) “**Determination of Fit and Proper Requirements**” means the Determination of Fit and Proper Requirements for Financial Services Providers, 2008;
 - (iv) “**developmental area**” means any control, process or compliance issue that has been identified during the monitoring of compliance as an area in respect of which the need for improvement of such control, process or compliance issue has been identified by the provider, and of which plans are in place to effect such improvements within a reasonable time;
 - (v) “**first level regulatory examination**” means first level regulatory examination as contemplated in the Determination of Qualifying Criteria and Qualifications for Financial Services Providers, 2008
 - (vi) “**FICA**” means the Financial Intelligence Centre Act, 2001;
 - (vii) “**Forex Investment Business Code of Conduct**” means the Code of Conduct for Authorised Financial Services Providers, and their

Representatives, involved in Forex Investment Business, 2004;

- (viii) **“FSP”, “financial services provider” or “provider”** means an authorised financial services provider, and includes, where applicable, any representative of the provider;
- (ix) **“General Code of Conduct” or “General Code”** means the Code of Conduct for Authorised Financial Services Providers and their Representatives, 2003;
- (x) **“key individual”** means a key individual as defined in the Act, including sole proprietors as defined in the Fit and Proper Requirements, 2008.
- (xi) **“Regulations”** means the Financial Advisory and Intermediary Services Regulations, 2003;
- (xii) **“reporting date”** means 31 May 2012
- (xiii) **“reporting period”** means the latest of-
 - (aa) the date of authorisation as financial services provider in terms of section 8 of the Act;
 - (bb) the first day of the month following the reporting period for the previous compliance report submitted; or
 - (cc) the date of appointment of the compliance officer of the FSP;until the reporting date.

This Determination is called the Compliance Report for Category I FSPs with Compliance Officers, 2012, and comes into operation on the date of publication thereof.



D P TSHIDI,
Registrar of Financial Services Providers

SCHEDULE

Compliance Report for Category I FSPs with a compliance officer for the reporting period ended 31 May 2012

Scope

In accordance with section 17(4) of the Act, I/we (the approved compliance officer(s) of the FSP hereby report as follows as regards compliance with the Act by (full name of the FSP and the FSP Number) and any representatives of the FSP, for the reporting period (date reporting period started) to 31 May 2012.

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
1 Conditions and restrictions by Registrar Sections 7 and 8(4)(a) and 8(5)(b) of the Act					
1.1 Does the FSP have procedures in place to ensure that it can comply with condition 1 of the licensing conditions requiring the FSP to update its business information as provided during the application stage within 15 days of any change occurring?					
1.2 Did the FSP change its legal status as an entity (e.g. from CC to (Pty) Ltd) since obtaining its licence?					
1.3 <i>If the answer to Question 1.2. is YES -</i> Did the FSP obtain a new licence as contemplated in section 8 of the Act?					
1.4 Does the FSP verify in all instances that any other FSP that it gives instructions to, or receives instructions from, is authorised to render the specific financial services without any licence restriction in relation to a specific financial product?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
1.5 Financial products in respect of which an FSP renders financial services Condition 5 imposed by Registrar in terms of section 8(4) of Act					
1.5.1 Is the FSP regulated in terms of any other law (within or outside South Africa)? (Please note that this does not include membership of professional bodies.)					
1.5.2 <i>If the answer to Question 1.5.1 is YES -</i> Provide details of the Regulator (Name of Regulator and registration and licensing number/s with the Regulator, if applicable) in a separate annexure and indicate the annexure number in column 5.					
1.5.3 Does the FSP render financial services on any financial product that is not specifically defined in the Act or regulated in terms of any other legislation (e.g. a hedge fund, depending on the structure)?					
1.5.4 <i>If the answer to Question 1.5.3 is YES -</i> Provide details of the financial products concerned in a separate annexure and indicate the annexure number in column 5.					
1.6 Financial products in respect of which FSP renders financial services Authorisation in terms of licence of FSP					
1.6.1 Does the FSP have procedures in place to ensure that the rendering of financial services is done within the limitation on categories and subcategories for which the licence was issued?					
1.6.2 Did any non-compliance occur in respect of the limitation on categories and subcategories during the reporting period?					
1.6.3 <i>If the answer to Question 1.6.2 is YES -</i> Provide full details of non-compliance as well as steps taken to reasonably ensure that such non-compliance does not occur again in a separate annexure. Indicate the annexure number in column 5.					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
1.7	Functions performed by FSP				
1.7.1					
	Did the FSP render financial services as a short-term insurance underwriting manager during the reporting period?				
1.7.2					
	During the reporting period did the FSP render financial services as a pension fund administrator in terms of section 13B of the Pension Funds Act, 1956?				
1.7.3					
	Did the FSP act as an asset consultant (advisor) to a pension fund during the reporting period?				
1.7.4					
	Did the FSP act as a promoter of unlisted shares and debentures (property syndicator) during the reporting period?				
1.7.5					
	Is the FSP a licensed credit provider in terms of the National Credit Act, 2005?				
1.7.6					
	Does the FSP manage investment deposit accounts and / or interest bearing deposit accounts on behalf of clients e.g. corporate saver accounts or cash management accounts e.g. corporate saver accounts or cash management accounts?				
1.7.6.1					
	<i>If the answer to question 1.7.6 is YES –</i> Were all transactions concluded based upon instructions from clients in whose names accounts are held?				
1.8	Indicate whether the following form part of the main business of the FSP:				
1.8.1					
	Authorised user as defined in the Securities Services Act, 2004				
1.8.2					
	Bank as defined in the Banks Act, 1990				
1.8.3					
	Pension fund administrator as contemplated in section 13B of the Pension Funds Act, 1956				
1.8.4					
	Long-term insurer as defined in the Long-term Insurance Act, 1998				
1.8.5					
	Short-term insurer as defined in the Short-term Insurance Act, 1998				

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
1.8.6					
Collective investment scheme manager as defined in the Collective Investment Schemes Control Act, 2002					
2					
Group structure					
2.1					
Does the FSP form part of a group of companies? If YES, provide full details of the group (including an organogram or diagram as well as the FSPs relation to the group of companies) in a separate annexure and indicate the annexure number in column 5.					
2.2					
<i>If the answer to question 2.1 is YES –</i> Does the FSP have service level agreements in place with other FSPs within the group?					
3					
Key individuals Sections 8(1) and (4)(b) of Act and Determination of Fit and Proper Requirements					
3.1					
Have all persons involved in a managing/overseeing function in relation to the rendering of financial services of the FSP, been appointed as key individuals?					
3.2					
In a separate annexure, provide information on the structure with regard to key individuals of the FSP (e.g. their position in the organisation, and where they are situated). Indicate the annexure number in column 5.					
3.3					
Does the FSP have procedures in place to ensure that it complies with section 8(4)(b) of the Act in the case of replacement of key individuals?					
3.4					
Fit and Proper Requirements for key individuals Determination of Fit and Proper Requirements					
3.4.1					
Did any changes occur in the personal circumstances of any key individual during the reporting period that adversely affected the fitness and propriety of the person, as set out in Part II of the Determination of Fit and Proper Requirements?					
3.4.2					
<i>If the answer to Question 3.4.1 is YES -</i> Provide full details in a separate annexure and indicate the annexure number in column 5.					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
3.4.3					
3.4.4					
3.4.5					
4					
4.1					
4.2					
4.3					
4.3.1					
SECTION 2 – GENERAL CODE OF CONDUCT					
5					
5.1					
5.1.1					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop-mental area	Note No. Comment/Annexure
5.1.2	If the answer to Question 5.1.1 was YES – Questions 5.1.3 to 5.1.7 must be answered				
5.1.3	Was this reporting period the FSP's first year of business?				
5.1.3.1	<i>If the answer to question 5.1.3. is YES –</i> Provide a copy of the conflict of interest management policy of the FSP as a separate annexure. Indicate the annexure number in column 5.				
5.1.4	If this reporting period was not the FSP's first year of business, did the FSP amend/revise the conflict of interest management policy during the reporting period?				
5.1.4.1	<i>If the answer to question 5.1.4 is YES –</i> Provide a copy of the amended conflict of interest management policy as a separate annexure. Indicate the annexure number in column 5.				
5.1.5	Are the employees, representatives and, where appropriate, associates aware of the conflict of interest management policy?				
5.1.6	Has appropriate training and educational material been provided to the employees, representatives and, where appropriate, associates?				
5.1.7	Has the conflict of interest management policy been published in appropriate media and is the policy easily accessible for public inspection at all reasonable times?				
5.1.8	If applicable, did the FSP and any representative of the FSP disclose to clients in writing any conflict of interest in respect of the client?				
5.1.9	Does the FSP have procedures and internal controls in place to ensure that it does not disclose any confidential information acquired from clients without obtaining written consent from the clients, unless it is required in terms of any other legislation?				

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop- mental area	5 Note No. Comment/ Annexure
6 Insurance cover <i>Sections 5(e) and 13 of General Code of Conduct and Board Notice 123 of 2009</i>					
6.1 Does the FSP have professional indemnity cover? If yes, the Statistical Information Sheet (Section 9) must be completed.					
6.1.1 <i>If the answer to Question 6.1 is YES –</i> Attach a copy of the latest insurance schedule in a separate annexure and indicate the annexure number in column 5.					
6.2 Does the FSP have fidelity insurance cover? If yes, the Statistical information Sheet (Section 9) must be completed.					
6.2.1 <i>If the answer to Question 6.2 is YES –</i> Attach a copy of the latest insurance schedule in a separate annexure and indicate the annexure number in column 5.					
6.3 Does the FSP have guarantees in place as contemplated in section 13 of the General Code of Conduct and section 3 of Board Notice 123 of 2009? If yes, the Statistical Information Sheet (Section 9) must be completed.					
6.3.1 <i>If the answer to Question 6.3 is YES –</i> Attach a copy of the guarantees in a separate annexure and indicate the annexure number in column 5.					
6.4 Does the FSP disclose to clients in terms of section 5(e) of the General Code of Conduct whether it holds guarantees or professional indemnity or fidelity insurance cover?					
6.5 Did the FSP have any claims against the FSP's professional indemnity cover, fidelity insurance cover or guarantees during the reporting period that were as a result of financial services rendered?					
7 Disclosure requirements <i>Sections 4, 5 and 7 of General Code of Conduct</i>					
7.1 Does the FSP have procedures in place to ensure that the disclosure documentation complies with sections 4 and 5 of the General Code of Conduct?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
7.2					
Does the FSP have procedures in place to ensure that the disclosure documentation complies with section 7 of the General Code of Conduct?					
7.3					
Does the FSP disclose the following information in terms of section 7(1)(c) of General Code of Conduct to the client in writing:					
7.3.1					
The name, class or type of financial product concerned;					
7.3.2					
The nature, extent and frequency of any incentive, remuneration, consideration, commission, fee or brokerage which will or may become payable to the provider, directly or indirectly, by any product supplier or any other person as a result of the financial service concerned;					
7.3.3					
Any material risk and where applicable investment risk associated with the product concerned;					
7.3.4					
Extent of monetary obligations assumed by the client, the frequency thereof and consequences of non-compliance concerned.					
8					
Direct marketing <i>Section 15 of General Code of Conduct</i>					
8.1					
Does the FSP act as a direct marketer as defined in Section 1 of the General Code of Conduct?					
8.2					
If the answer to Question 8.1 is YES – questions 8.2.1 to 8.2.3 must be answered					
8.2.1					
Does the FSP have recording systems in place to record all telephonic conversations with the clients in the course of direct marketing?					
8.2.2					
Does the FSP have appropriate procedures and systems in place to store and retrieve recordings?					
8.2.3					
Does the FSP have procedures in place to ensure that the FSP complies with section 15 (read together with sections 4, 5 and 7) of the General Code of Conduct?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop-mental area	Note No. Comment/Annexure
8.2.3.1					
<p><i>If the answer to Question 8.2.3 is NO – In a separate annexure, provide details on how and when (provide a specific time frame) such procedures will be put in place. Indicate the annexure number in column 5.</i></p>					
9					
<p>Furnishing of advice and record of advice Sections 8 and 9 of General Code of Conduct</p>					
9.1					
<p>Is the FSP licensed to furnish advice?</p>					
9.2					
<p>Did the FSP furnish advice as a regular feature of its business during the reporting period?</p>					
9.3					
<p>If the answer to question 9.2 is YES – questions 9.3.1 to 9.3.4 must be answered</p>					
9.3.1					
<p>Does the FSP have procedures in place to ensure that an analysis of the client's financial situation and objectives is performed before advice is furnished?</p>					
9.3.1.1					
<p><i>If the answer to Question 9.3.1 is NO – In a separate annexure, provide details on how these procedures will be put in place. Indicate the annexure number in column 5.</i></p>					
9.3.2					
<p>Does the FSP have procedures in place, to ensure compliance with section 8(1)(d) of the General Code of Conduct relating to replacement products?</p>					
9.3.3					
<p>Does the FSP keep a record of advice and provide it to clients in accordance with section 9 of the General Code of Conduct? Provide details of all instances of non-compliance found as well as steps that will be taken to reasonably ensure that such non-compliance does not occur again in a separate annexure. Indicate the annexure number in column 5.</p>					
9.3.4					
<p>Did the FSP conclude any financial transactions during the reporting period where the client did not provide all information requested by the provider, or where the provider was unable to conduct an analysis because of the circumstances surrounding the case, or where there was not reasonably sufficient time to do so [section 8(4)(a) of the General Code of Conduct]? If the answer is YES, the Statistical Information Sheet (Section 9) must be completed.</p>					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop- mental area	5 Note No. Comment/ Annexure
10 Custody of financial products and funds Section 10 of General Code of Conduct and Board Notice 193 of 2011					
10.1 Does the FSP receive or hold financial products or funds of or on behalf of clients when rendering financial services?					
10.1.1 Is the FSP an 'FSP limited by product' as defined in Board Notice 193 of 2011?					
10.1.2 If the answer is to Question 10.1.1 is YES – Is the "FSP limited by product" obliged by a law other than the Act to cause financial statements to be audited?					
10.2 If the answer to question 10.1 is YES - questions 10.2.1 to 10.2.6 must be answered					
10.2.1 Has the FSP notified the Registrar of the details of the approved auditor or accounting officer in terms of section 19 of the Act or Board Notice 193 of 2011 read with the Exemption of FSPs and FSPs limited by products from Audit Requirements, 2011					
10.2.2 Has the FSP changed auditors / accounting officers during the reporting period?					
10.2.2.1 If the answer to Question 10.2.2 is YES – Did the FSP submit a profile change request to the Registrar in respect of the change of auditors / accounting officers?					
10.2.3 Does the FSP issue written confirmation of receipts to clients when funds and/or premiums are received from clients without the mediation of a bank?					
10.2.4 In a separate annexure, provide a list of the products (subcategories of licence) in respect of which you receive funds and/or premiums from clients. Indicate the annexure number in column 5.					
10.2.5 Does the FSP have procedures in place to ensure that clients' funds and/or premiums can be readily/clearly distinguished from private assets or funds of the FSP?					
10.2.6 Does the FSP collect short-term insurance premiums from clients on behalf of product suppliers, in accordance with section 45 of the Short-term Insurance Act, 1998?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
10.3					
If the answer to question 10.2.6 is YES – questions 10.3.1 and 10.3.2 must be answered					
10.3.1					
Does the FSP have an IGF Guarantee in terms of section 45 of the Short-term Insurance Act, 1998?					
10.3.2					
<i>If the answer to Question 10.3.1 is YES- Provide a copy of the IGF schedule as a separate annexure and indicate the annexure number in column 5.</i>					
10.4					
Do any representatives of the FSP collect premiums on behalf of the FSP in accordance with the provisions stipulated in section 45 of the Short-term Insurance Act, 1998?					
10.5					
Do any representatives of the FSP receive or hold financial products or funds, belonging to clients, on behalf of the FSP?					
10.6					
Does the FSP have procedures in place to ensure that clients' financial products can be readily/clearly distinguished from private assets of the FSP?					
11					
Risk management <i>Sections 11 and 12 of General Code of Conduct</i>					
11.1					
Does the FSP have and effectively employ risk management resources, procedures, systems and controls as described in sections 11 and 12 of the General Code of Conduct?					
11.2					
Does the FSP have a documented Risk Management Plan?					
12					
Advertising <i>Section 14 of General Code of Conduct</i>					
12.1					
Does the FSP advertise its financial services?					
12.2					
If the answer to Question 12.1 is YES – questions 12.2.1 to 12.2.3 must be answered					
12.2.1					
Does the FSP have procedures in place to ensure that all advertisements and advertising communications and material comply with section 14 of the General Code of Conduct?					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop- mental area	5 Note No. Comment/ Annexure
12.2.2					
12.2.3					
13 Complaints <i>Section 16 to 19 of General Code of Conduct</i>					
13.1					
13.2					
13.2.1					
14 Maintenance of records <i>Section 18 of Act and General Code of Conduct</i> <i>Section 22 of FICA</i>					
14.1					
14.2					
14.3					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
14.4					
14.5					
14.6					
14.6.1					
14.6.2					
15					
15.1					
15.2					
15.2.1					
16					
16.1					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
17.7 Competency of representatives <i>Section 13(2)(a) of the Act, Parts II, III and VI of Determination of Fit and Proper Requirements and Board Notice 151 of 2008</i>					
17.7.1 Does the FSP have procedures in place to ensure that representatives comply with the personal character qualities of honesty and integrity and the competency requirements as set out in Parts II and III of the Determination of Fit and Proper Requirements?					
17.7.2 Has the FSP identified all representatives who have not yet passed the First Level Regulatory Examination?					
17.7.2.1 <i>If the answer to Question 17.7.2 is YES-</i> Does the FSP have adequate processes in place to monitor whether all representatives who have not passed the First Level Regulatory examination have done so by the applicable date?					
17.7.3 As a separate annexure indicate the number of representatives and provide details on the total number of representatives that have passed, failed, enrolled for or not yet enrolled for the first level regulatory exam. Indicate the annexure number in column 5.					
17.8 Representatives rendering services under supervision					
17.8.1 Does the FSP have representatives who, on the reporting date, render financial services under supervision as contemplated in paragraph 3 of the Exemption in respect of Services under Supervision in terms of Requirements and Conditions, 2008 ?					
17.8.2 <i>If the answer to question 17.8.1 is YES – questions 17.8.2.1 to 17.8.2.5 must be answered</i>					
17.8.2.1 Confirm the number of representatives rendering financial services under supervision as well as the number of supervisors. as at the reporting date, on the Statistical Information Sheet (Section 9).					
17.8.2.2 Does the FSP have procedures in place to monitor the compliance of supervisors with paragraphs 4(7)(a) to (f) of the Exemption in respect of Services under Supervision ? If YES, attach a copy of the procedures as a separate annexure and indicate the annexure number in column 5.					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop-mental area	Note No. Comment/Annexure
17.8.2.3					
17.8.2.4					
17.8.2.5					
17.9					
17.9.1					
17.9.2					
17.9.2.1					
17.9.2.2					
17.9.2.3					

		Column				
Question	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure	
17.9.2.4						
	During the reporting period did any representatives of the FSP receive any financial interest for giving preference to a specific product of a product supplier, where the representative was able to recommend more than one product of that product supplier to the client as contemplated in section 3A(1)(b)(iii) of the General Code of Conduct?					
17.10	Debarment of representatives <i>Section 14 of Act</i>					
17.10.1						
	Does the FSP have procedures in place to debar a representative if the representative does not comply with the personal character qualities of honesty and integrity and the competency requirements as set out in Parts II and V of the Determination of Fit and Proper Requirements?					
17.10.2						
	Has the FSP taken steps to debar representatives who have not complied with the qualification requirements in Column Two of Table E in Part X of the Determination of Fit and Proper Requirements?					
17.10.2.1						
	<i>If the answer to question 17.10.2 is YES –</i> In a separate annexure, provide full details thereof. Indicate the annexure number in column 5.					
SECTION 4 – MONEY LAUNDERING CONTROL PROCEDURES						
18	Money Laundering Control Procedures					
18.1						
	Is the FSP an accountable institution referred to in Schedule 1 of FICA?					
18.2						
	<i>If the answer to Question 18.1 is YES, questions 18.3 to 18.15 must be answered</i>					
18.3						
	Has the FSP registered with the Financial Intelligence Centre in terms of section 43B of FICA?					
18.4						
	Does the FSP have all the necessary policies, procedures and systems in place to ensure full compliance with FICA and other applicable anti-money laundering or terrorist financing legislation as required in terms of paragraph 8(1)(e) of the Determination for Fit and Proper Requirements?					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
18.5					
18.5.1					
18.6					
18.6.1					
18.7					
18.7.1					
18.8					
18.8.1					
18.9					
18.9.1					
18.10					

Column					
Question	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
18.11					
18.12					
18.13					
18.14					
18.15					
18.16					
18.16.1					
18.16.1.1					
18.16.2					
18.16.3					
18.16.4					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
	SECTION 5 – COMPLIANCE FUNCTION				
19	Compliance function <i>Section 17 of Act, Chapter IV of Regulations and Board Notice 127 of 2010</i>				
19.1	Is the compliance function established as part of the risk management framework of the business of the FSP in compliance with section 17(3) of the Act and regulation 5 of the Regulations?				
19.2	Do you provide written reports on the compliance monitoring and recommendations relating to the FSP on a regular basis? If YES, the Statistical Information Sheet (Section 9) must be completed.				
19.3	Have you been appointed as the internal compliance officer of the FSP?				
19.3.1	<i>If the answer to Question 19.3 was YES-</i> Have you also been appointed as the internal compliance officer of any other FSP? If YES, in a separate annexure, provide details of the FSP. Indicate the annexure number in column 5.				
19.4	Does the FSP operate only from one business premises?				
19.5	<i>If the answer to Question 19.4 is NO – Questions 19.5.1 and 19.5.2 must be answered.</i>				
19.5.1	Did you (and in the case of an internal compliance officer, any delegated employee) conduct regular visits to the business premises, business units and / or branches of the FSP? If YES, the Statistical Information Sheet (Section 9) must be completed.				
19.5.2	Did you (and in the case of an internal compliance officer, any delegated employee) conduct regular visits to the business premises, business units and / or branches of the representatives of the FSP? If YES, the Statistical Information Sheet (Section 9) must be completed.				

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Developmental area	5 Note No. Comment/ Annexure
19.6					
19.7					
19.8					
19.8.1					
20					
20.1					
20.1.1					
20.2					
20.2.1					
20.3					
20.3.1					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
20.4					
20.4					
20.4.1					
20.4.2					
20.4.3					
20.4.4					
20.4.5					
20.4.6					
20.4.7					
20.4.8					
20.4.9					
20.4.10					
20.4.11					
20.4.12					
20.4.13					
20.4.14					
20.4.15					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
20.5					
20.6					
20.6.1					
<p>SECTION 6 – CATEGORY I FOREX FSPs <i>The Forex Investment Business Code regulates forex investments which are investments in a financial product referred to in paragraph (e) of the definition of “financial product” in section 1(1) of the Act.</i></p>					
21					
21.1					
21.2					
21.3					
21.4					
21.5					
21.6					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
21.7	If the answer to Question 21.6 is YES – questions 21.7.1 to 21.7.3 must be answered				
21.7.1					
	In a separate annexure, provide a copy of a written application form utilised for clients' purposes that was approved by the Registrar. Indicate the annexure number in column 5.				
21.7.2					
	In the case of self-directed accounts provide full details in a separate annexure on how the FSP ensures that clients are sophisticated and have the necessary trading skills to start trading themselves. Indicate the annexure number in column 5.				
21.7.3					
	Does the FSP provide regular training sessions to educate and assist the clients' trading skills?				
21.8					
	Did the FSP make any material changes to this application form without the prior approval of the Registrar?				
21.9					
	Does the FSP take reasonable steps to ensure that the forex investment is suitable for the client?				
21.9.1					
	<i>If the answer to Question 21.9 is YES –</i> In a separate annexure, provide full details of the procedures that the FSP has in place to ensure that the client's objectives, risk appetite, financial situation and foreign investment experience are obtained in order to act in their interests at all times. Indicate the annexure number in column 5.				
21.10					
	In a separate annexure, provide full details of the procedures that the FSP has put in place to ensure that risks associated with forex investment (including currency fluctuations), are disclosed to clients? Indicate the annexure number in column 5. If standard disclosure documents are used, please include a copy thereof as part of the annexure.				
21.11					
	Does the FSP have procedures in place to ensure that the forex investment intermediary to whom clients are referred is an authorised FSP?				
21.12					
	Does the FSP have an appropriate written agreement in place to govern the relationship with forex intermediaries to whom clients are referred?				

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
21.13					
21.14					
21.14.1					
21.15					
21.16					
21.17					
21.18					
21.19					
21.20					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop mental area	Note No. Comment/ Annexure
SECTION 7 – HEALTH SERVICE BENEFITS					
22 Accreditation under section 65(3) of Medical Schemes Act, 1998 Section 8(7)(e) of Act					
22.1 Is the FSP licensed to render financial services relating to health service benefits?					
22.2 <i>If the answer to question 22.1 is YES – questions 22.2.1 to 22.2.4 must be answered</i>					
22.2.1 Was the accreditation of the FSP in terms of section 65(3) of the Medical Schemes Act, 1998, during the reporting period suspended or withdrawn, or did it lapse? Please provide details of any such suspensions, withdrawals or lapses as an annexure to the report and indicate the annexure number in column 5.					
22.2.1.1 <i>If the answer to Question 22.2.1 is YES –</i> Was a profile change request submitted to the Registrar in order for the health services subcategory to be removed from the FSPs licence?					
22.2.2 The details of the accreditation with the Council for Medical Schemes (ORG numbers for entities and BR numbers for key individuals) must be completed on the Statistical Information Sheet (Section 9).					
22.2.3 Does the FSP have any corporate clients? If the answer is YES, the Statistical Information Sheet (Section 9) must be completed.					
22.2.4 In a separate annexure, provide a list of product suppliers that the FSP utilises in respect of health services benefits. Indicate the annexure number in column 5.					

SECTION 9 – STATISTICAL INFORMATION SHEET

9.1 REPRESENTATIVES AT REPORTING DATE		
TYPE OF INFORMATION REQUIRED	RELEVANT QUESTION NUMBER	NUMBER OF REPRESENTATIVES/KEY INDIVIDUALS
Number of representatives	17.1	
Number of representatives rendering services under supervision as contemplated in Paragraph 3 of the Exemption of Services under Supervision in terms of Requirements and Conditions, 2008	17.8.2.1	
Number of key individuals and representatives that acted as supervisors in respect of services under supervision	17.8.2.1	

9.2 TYPE OF INSURANCE COVER	RELEVANT QUESTION NUMBER	CURRENCY	EXTENT OF COVER (NUMERICAL AMOUNT)
Professional Indemnity Cover as contemplated in sections 5(e) and 13 of the General Code of Conduct	6.1		
Fidelity Insurance Cover as contemplated in sections 5(e) and 13 of the General Code of Conduct	6.2		
Guarantees in terms as contemplated in section 13 of the General Code of Conduct	6.3		

9.3 COMPLIANCE FUNCTION		
TYPE OF INFORMATION REQUIRED	RELEVANT QUESTION NUMBER	DETAILS
Number of reports issued to the FSP on the rendering of financial services.	19.2	
Total number of business premises, business units and / or branches of the FSP.	19.5.1	
Total number of visits to the business premises, business units and / or branches of the FSP during the reporting period in order to perform monitoring procedures	19.5.1	
Total number of business premises, business units and / or branches in respect of the representatives of the FSP.	19.5.2	
Total number of visits to the business premises, business units and / or branches of the FSP's representatives during the reporting period in order to perform monitoring procedures	19.5.2	
Identity Number of the compliance officer appointed in terms of section 43(b) of FICA.	19.6	
Confirm what percentage of the transactions that were sampled was non-compliant with sections 4, 5 and 7 of the General Code of Conduct.	20.2.1	
Percentage of reviews conducted where sampling was applied	20.6.1	

9.4 GENERAL CODE OF CONDUCT		
TYPE OF INFORMATION REQUIRED	RELEVANT QUESTION NUMBER	PERCENTAGE
Provide the percentage of new financial transactions concluded as contemplated in section 8(4)(a) of the General Code of Conduct.	9.3.4	

9.5 HEALTH SERVICE BENEFITS		
TYPE OF INFORMATION REQUIRED	RELEVANT QUESTION NUMBER	DETAILS
Key individual accreditation number with the Council for Medical Schemes [BR number]	22.2.2	
FSP accreditation number with the Council for Medical Schemes (ORG number)	22.2.2	
Percentage of client base that is corporate clients	22.2.3	

COMPLETED AND SIGNED BY COMPLIANCE OFFICER(S):

Name(s) of compliance officer(s) of FSP

ID number(s) of compliance officer(s)

Name(s) of the compliance practice(s) (if applicable)

Reference number(s) of compliance officer(s)/practice(s)

Signature(s) of compliance officer(s)

Date

Telephone number

Fax number

E-mail address

COMPLETED AND SIGNED BY A KEY INDIVIDUAL OF THE FSP IN THE CASE OF A JURISTIC ENTITY, OR THE SOLE PROPRIETOR IN THE CASE OF A NATURAL PERSON TO ACKNOWLEDGE THAT THEY ARE AWARE THAT THE COMPLIANCE REPORT WILL BE FORWARDED TO THE REGISTRAR

Name of FSP

FSP number

Name of key individual/sole proprietor

ID number of the key individual/sole proprietor

Date appointed as key individual

Signature

Date

DECLARATION COMPLETED AND SIGNED BY COMPLIANCE OFFICER(S) SUBMITTING COMPLIANCE REPORT

Name(s) of compliance officer(s): _____

Compliance report in terms of section 17(4) of the Act by compliance officer(s) for the reporting period _____ (insert date) until _____ (insert reporting date).

I/we _____ hereby report as follows as regards compliance by _____ (insert full names of FSP and FSP number) and any representatives of the FSP with the Act, for the reporting period.

Having completed the attached annual compliance report for the abovementioned FSP, I/we hereby confirm that, to the best of my/our knowledge and ability all the information contained in the attached annual compliance report is true and correct.

I/we are aware that the information contained in the attached annual compliance report may be subject to verification by the Registrar of Financial Services Providers, and should I/we knowingly submit false, incorrect or misleading information to the Registrar, this may impact on my/our compliance with the fit and proper requirements with regard to personal character qualities of honesty and integrity as determined by section 8(1) of the Act.

Signed on _____ (day) _____ (month) _____ (year).

Signature(s): _____