

FSCA COMMUNICATION 40 OF 2024 (AMLCFT)

FINAL REQUEST ON THE DIRECTIVE TO PROVIDE INFORMATION TO THE FINANCIAL SECTOR CONDUCT AUTHORITY IN TERMS OF THE FINANCIAL INTELLIGENCE CENTRE ACT, NO. 38 OF 2001

1. PURPOSE

The purpose of this Communication is to:

- 1.1 notify accountable institutions supervised by the Financial Sector Conduct Authority (FSCA) that the Directive to Provide Information for 2024 (DPI 2024) issued in terms of the Financial Intelligence Centre Act, No. 38 of 2001 (FIC Act) will again be made available for online completion and submission on the FSCA's website from **4 November 2024 to 29 November 2024**;
- 1.2 request accountable institutions supervised by the FSCA that did not comply with the DPI 2024 published on 27 May 2024 to now ensure completion and submission of such; and
- 1.3 clarify that accountable institutions supervised by the FSCA that are regarded as "not having complied with the DPI 2024" are those that:
 - (i) failed to complete and submit the DPI as previously directed; or
 - (ii) only partially completed the DPI previously.

2. BACKGROUND

- 2.1 On 27 May 2024, the FSCA published FSCA Communication 20 of 2024 (Communication 20) requesting accountable institutions supervised by the FSCA to complete and submit the DPI 2024.
- 2.2 Communication 20 indicated that the DPI 2024 would be available for online completion and submission from **27 May 2024 to 31 July 2024**.
- 2.3 Financial Services Providers (FSPs) that are accountable institutions were directed to complete and submit the DPI 2024 via the FSCA's FAIS e-portal by [clicking here](#).
- 2.4 Collective Investment Scheme (CIS) Managers that are accountable institutions were directed to complete and submit the DPI 2024 via the FSCA's CIS e-portal by [clicking here](#).
- 2.5 For various reasons, including systems-related challenges, some accountable institutions did not manage to complete and submit their responses as directed, thereby failing to comply with the DPI 2024.

2.6 In light of this, the DPI 2024 will once again be made available for online completion and submission through the FSCA's FAIS and CIS e-portals from **4 November 2024 to 29 November 2024**.

2.7 Accountable institutions are reminded to consider section 43A(3) of the FIC Act, which provides that:

The Centre or supervisory body may in writing, over and above any directive contemplated in subsection (1) or (2), issue a directive to any accountable institution, category of accountable institutions, reporting institution, category of reporting institutions or other person to whom the provisions of this Act apply to –

(a) *provide the Centre or that supervisory body, as the case may be –*

(i) *with the information, reports or statistical returns specified in the notice, at the time or at the intervals specified in the notice; and*

(ii) *within the period specified in the notice, with any document in its possession or custody or under its control.*

2.8 Completion and submission of the DPI 2024 is mandatory for all accountable institutions. Failure to complete and submit the DPI 2024 by **29 November 2024** will be a contravention of the FIC Act and may lead to the imposition of administrative penalties by the FSCA.

3. ENQUIRIES

3.1 Please refer to Communication 20 and the related Frequently Asked Questions document (both are accessible by [clicking here](#)), which contain contact details for enquiries relating to registration on the e-portals and the completion of the DPI 2024.

3.2 This Communication is available on the FSCA's website (www.fsc.co.za) at the following path: *Home > Regulatory Frameworks > Industry Communication > AMLCFT > FSCA Communication*.



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FINANCIAL SECTOR CONDUCT AUTHORITY**

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