



THE FINANCIAL SERVICES TRIBUNAL

CASE NO. FSP83/2025

In a matter between:

ALPHIA LANGA

APPLICANT

and

**FIRST NATIONAL BANK, a division of
FIRSTSTRAND BANK LIMITED**

RESPONDENT

TRIBUNAL PANEL:

Appearance for Applicant: None

Appearance for Respondent: None

Date of hearing:

Date of Decision: 22 January 2026

Summary: Application for reconsideration of debarment- Debarment order issued in terms of section 14 of the FAIS Act read with section 13 (2) (a) – On facts found that no case for setting aside the debarment has been made. The application was accordingly dismissed.

DECISION

Introduction

1. This is an application, brought in terms of section 230 of the Financial Sector Regulation Act 9 of 2017, to reconsider a debarment decision taken by the First National Bank (FNB) against Ms Aphia Langa (the applicant).
2. The decision was taken in terms of section 14 of the Financial Advisory and Intervening Services Act 37 of 2002 (FAIS Act). Section 14 imposes an obligation on any authorized financial services provider to debar any of its representatives as contemplated in subsection (1)(a)(i) or (ii).
3. Subsection (1)(a)(i) to (iv) provides as follows:

“(a) An authorized financial services provider must debar a person from rendering financial services who or was, as the case may be-

 - (i) A representative of the financial services provider; or*
 - (ii) A key individual of such representative, if the financial services provider is satisfied on the basis of available facts and information that the person-*
 - (iii) does not meet, or no longer complies with, the requirements referred to in section 13(2)(a); or*
 - (iv) has contravened or failed to comply with any provision of this Act in a material manner”.*
4. Section 13(2) (a) referred to in (iii) above, provides that, an authorized financial services provider must – (a) at all material times be satisfied that the provider’s representatives, and the key individuals of such representatives, are, when rendering a financial service on behalf of the provider, competent to act, and comply with – (i) the fit and proper requirements; and (ii) any other requirements as contemplated in subsection (1)(b)(ii).

5. The parties herein have agreed that the application be disposed of on paper and without appearance by the parties.

Background

6. At all material relevant facts herein, the applicant was employed by FNB as an acting branch delivery sales and service team leader.
7. On 13 May 2025, the applicant was issued with a notice to attend a disciplinary hearing. In the notice, the applicant was informed that she was facing 24 charges, all pertaining to allegations of dishonesty, misrepresentation, and breach of confidential information.
8. On 23 May 2025, a disciplinary hearing against the applicant was conducted. During the enquiry, the applicant pleaded guilty to charges 19 to 22. The charges were framed as dishonesty charges. Charges 1 and 2 were withdrawn at the start of the hearing.
9. On 28 May 2025, the chairperson of the disciplinary enquiry issued a ruling in terms of which the applicant was found guilty of the rest of the charges except charge 8. On 11 June 2025, the applicant was dismissed.
10. On 4 July 2025, the applicant was served with a notice of intention to debar him. This was followed by a debarment notice served on 21 August 2025
11. On 28 November 2025, the applicant launched the present application. In her representation letter dated 6 October 2025, and addressed to this Tribunal, she set out what she refers to as "*the particulars and the reasons*" why she is aggrieved by the decision to debar her. FNB is opposing the application and has filed written heads of argument.

Was FNB correct in debarring the applicant?

12. The applicant was accused of several acts of dishonesty, misrepresentation, and breach of confidential information that required sanctions. These acts of dishonesty and misrepresentation included the allegations that the applicant, on four occasions, authorised the 4-eye principle verification in terms of the verification process, which requires the presence of the customer at the branch.
13. The essence of the allegations regarding the charges that were put to the applicant during the disciplinary hearing was that the applicant authorised her colleagues to access the accounts of customers as if the customers concerned were physically at the branch. She sanctioned these authorisations in her capacity as Sales and Service Team Leader.
14. In authorising the verification process, an impression was created that the customers concerned were at the branch at the time and that these processes were completed by the customers. These allegations form the subject of counts 19 to 22, to which the applicant pleaded guilty during the disciplinary proceedings.
15. As indicated in paragraph 11 above, in her application for reconsideration, the applicant sets out the particulars and reasons why she is aggrieved by the decision. However, “the particulars and reasons” as it would appear hereunder, do not deal with the merits of the allegations. Instead, they are more of a passionate plea for leniency or mercy.
16. In paragraph 3 of her letter of 6 October 2025, the applicant expressed herself as follows:

“The debarment arose from a single count of dishonesty – a painful mistake that I fully acknowledge and take responsibility for”.

17. It is not clear which “single count of dishonesty”, the applicant is referring to. However, this admission should be seen in the context of the guilty plea she tendered during her disciplinary hearing, referred to in paragraph 8 above.
18. Both the admission referred to in paragraph 16 and the plea of guilty during disciplinary proceedings on allegations as indicated in paragraphs 13 and 14 above are relevant to the applicant’s reconsideration application. This is particularly seen in the context of section 14 referred to in paragraph 2, read with section 13(2)(a) referred to in section 14(1)(a)(ii) and quoted in paragraph 3 above.
19. As correctly pointed out by FNB in its written heads of argument, the peremptory nature of section 14(1), is important. Once an authorised financial services provider is satisfied, on the basis of available facts, and information that its representative no longer complies with the fit and proper requirements, such financial services provider is obliged to invoke the provisions of section 14(1).
20. The applicant, in her representations forming the subject of this reconsideration application, further alludes that:

“It was a lapse of judgment- not a reflection of my ---- character or the values I upheld during my many years of service.

I believe the sanction of debarment was excessively harsh given the circumstance. One mistake has effectively undone 11 years of clean, loyal service. I understand the importance of discipline and accountability, but I sincerely believe this situation could have been resolved through corrective measures such as re-training, guidance or suspension – instead of permanent exclusion from financial industry”.

21. One can only sympathise with the applicant, but FNB was obliged to comply with the peremptory provisions in section 14.

22. One should also be worried about the applicant's insistence that "the debarment arose from a single count of dishonesty" and that "one mistake has effectively undone 11 years of clean, loyal service". The assertion cannot be correct. During the disciplinary hearing, she pleaded guilty to four charges of dishonesty committed on various dates in respect of different FNB's customers.
23. Furthermore, in the letter of debarment dated 21 August 2025, it is indicated that the investigation revealed that the applicant involved herself in a series of incidents between May and September 2024, where she misused her position to facilitate unauthorised banking activities and manipulated internal systems for personal and branch performance gain.
24. The activities in question are summed up inter alia, as follows in paragraph 3 of the debarment letter:

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- a. *Misrepresentation during an investigation regarding an account opened for Mr... where she indicated the account being opened in error on CDF and the customer not being aware of the account. This was found to not being true and the customer had knowledge of the account and was utilizing it.*
- b. *Provisioning of SS codes to colleagues for use on customers who did not qualify for benefits, Ms Langa was found to have issued SS codes against numerous business customers to non-qualifying customers therefore inflating her branch's performance on the SS measure on the BSC.*
- c. *Failure to report unethical conduct by her Branch Controller when she was aware Ms... issuing an SS Code to Mr... for utilization on a non-qualifying account for reasons to inflate the branch's performance on the SS measure on the BSC.*

- d. *Unauthorized access to customer accounts, where she accessed the account of Ms... without the customer being present and without a valid business reason.*
- e. *Ms Langa was found to have inflated her account turnover to obtain an overdraft facility of R250 000 by receiving funds from a Mr ... to the value of R1 306 305.00 referenced as salary which were later sent back to Mr...*
- f. *Ms Langa was found to have used her personal funds to activate a customer account via ATM deposit”.*

25. I am satisfied that sufficient evidence has been provided to support the allegations as set out in paragraph 24 above. The applicant did not provide enough evidence or information to suppress the evidence, and the material provided in support of the allegations. FNB has correctly concluded to debar the applicant.

26. Both sections 13 and 14 of FAIS are aimed at protecting members of the public. It is a self-regulatory provision that is meant to ensure vigilance and risk management by authorised financial services providers in their dealings with members of the public, some of whom may be vulnerable and taken advantage of by the provider's representatives.

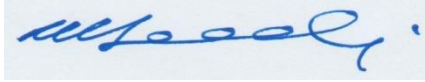
27. As indicated in paragraph 2 of the debarment letter, the applicant manipulated internal systems for personal gain and branch performance. There is no basis to fault FNB in its findings. Consequently, the application is destined to fail.

Order

28. An order is hereby made as follows:

The application for reconsideration is hereby dismissed.

Signed on 22 January 2026.

A handwritten signature in blue ink, appearing to read 'M F Legodi', is displayed on a light blue rectangular background.

M F Legodi (Deputy Chair)