



# Government Gazette

**REPUBLIC OF SOUTH AFRICA**

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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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## BOARD NOTICE

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### NOTICE 39 OF 2005

### FINANCIAL SERVICES BOARD

### FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002 (ACT NO. 37 OF 2002)

### DETERMINATION OF COMPLIANCE REPORTS BY COMPLIANCE OFFICERS AND AUTHORISED FINANCIAL SERVICES PROVIDERS


I, Jeffrey van Rooyen, Registrar of Financial Services Providers, hereby under section **17(4)** of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002) ("the Act"), determine, after consultation with the Advisory Committee on Financial Services Providers, the compliance report by compliance officers and authorised financial services providers, as set out in the Schedule hereto, and so determine the following provisions in connection therewith:

- (a) That a report conforming to the report in the Schedule hereto, in written form or in the prescribed electronic format from time to time determined by me, must be submitted to me by the compliance officer concerned or, where the provider need not in terms of the Act have a compliance officer, by the authorised financial services provider concerned, two months after the expiration of the reporting date as set out in Column Two of Table A below;
- (b) (i) that the categories of FSPs concerned must answer all questions in the relevant sections as indicated below:
- Section 1 – all financial services providers
  - Section 2 – administrative financial services providers
  - Section 3 – discretionary financial services providers
  - Section 4 – forex financial services providers
  - Section 5 – financial services providers authorised for rendering financial services as regards health services benefits
  - Section 6 – all financial services providers
  - Section 7 – all financial services providers; and
- (ii) that documentary proof of compliance must be attached as annexures to the report when specifically so required and the relevant annexure number must be noted in column 5 and listed in section 7 of the Schedule hereto; and
- (iii) that should any questions be identified as developmental areas this must be noted in column 4; and

- (c) that in this Notice and the Schedule, unless the context otherwise indicates or it is otherwise clearly inappropriate –
- (i) any word or expression to which a meaning has been assigned in the Act (including any measure contemplated in the definitions of “this Act” in section 1(1) of the Act), has that meaning;
  - (ii) “Code of Conduct” means any such Code published under section 15 of the Act, including the General Code of Conduct, the Specific Code of Conduct for Authorised Financial Services Providers and Representatives conducting Short-term Deposit-taking Business, 2004, the Codes of Conduct for Administrative and Discretionary FSPs, 2003 and the Forex Investment Business Code of Conduct;
  - (iii) “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, and plans are in place to effect such improvements within a reasonable time;
  - (iv) “Forex Investment Business Code of Conduct” means the code of conduct for Authorised Financial Service Providers, and their Representatives, involved in Forex Investment Business, 2004;
  - (v) “FSP” and “financial services provider” means an authorised financial services provider, and includes, where appropriate, any representative of the provider;
  - (vi) “General Code of Conduct” or “General Code” means the Code of Conduct for Authorised Financial Services Providers and their Representatives, 2003;
  - (vii) “reporting date” means, where a provider has a financial year-end as referred to in Column One of Table A, the date set out in Column Two of Table A.
  - (viii) “Regulations” means the Financial Advisory and Intermediary Services Regulations, 2003;
  - (ix) “report period” means the period from date of authorisation as financial services provider in terms of section 8 of the Act, until the reporting date.

<b>Column One Provider's Financial year- end</b>	<b>Column Two Reporting Date</b>
31 January 2005	31 July 2005
28 February 2005	31 August 2005
31 March 2005	30 September 2005
30 April 2005	31 October 2005
31 May 2005	30 November 2005
30 June 2005	31 December 2005
31 July 2005	31 December 2005
31 August 2005	31 December 2005
30 September 2005	31 December 2005
31 October 2005	31 December 2005
30 November 2005	31 December 2005
31 December 2005	31 December 2005

This Determination is called the Determination of Compliance Reports by Compliance Officers and Authorised Financial Services Providers, 2005, and comes into operation on the date of publication thereof.



**J. VAN ROOYEN,**  
*Registrar of Financial Services Providers*

**SCHEDULE**

**Compliance Report in terms of section 17(4) of the Financial Advisory and Intermediary Services Act, 2002 (Act No 37 of 2002) ("the Act") by Compliance Officers/Financial Services Providers for financial year-ends between 1 January 2005 and 31 December 2005**

**Scope**

In accordance with section 17(4) of the Act, I/we ..... (the approved Compliance Officer(s) of the Financial Services Provider ("the FSP") hereby report as follows as regards compliance by ..... (full name of the FSP) and any representatives of the FSP with the Act, for the period ..... (date reporting period started to date reporting period ended)

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Developmental area	Note No. Comment/Annexure
<b>SECTION 1 – ALL FSPs</b>					
<b>1. Conditions and restrictions imposed, made, given or issued by Registrar</b> <i>Section 8(4)(a) and 8(5)(b) of the Act</i>					
<b>1.1. Updating of business information</b> <i>Condition 1 imposed by the Registrar in terms of section 8(4) of the Act</i>					
1.1.1. Does the FSP have procedures in place to ensure that it can inform the Registrar within 15 days after the change has taken place, of any change in respect of business information of the FSP as provided in Form FSP1, FSP3, FSP4, FSP9, FSP10, FSP10A or FSP11, respectively, of the Application Form as provided for in condition 1 of the licensing conditions?					
1.1.2. Did the FSP comply with licensing condition 1 in all instances?					
1.1.3. <i>If the answer to question 1.1.2 is NO -</i> Did the FSP rectify the position?					
1.1.4. Provide detail of instances where the Registrar was not notified within the 15 day period and indicate the annexure number in column 5.					

Column				
Question	1	2	3	5
	Yes	No	Not applicable	Develop - mental area
				Note No. Comment/ Annexure
<b>1.2. Change of name of the entity</b> <i>Condition 4 imposed by the Registrar in terms of section 8(4) of the Act</i>				
1.2.1. Did the FSP change the name of the financial services business as reflected on the licence concerned, and carry on any financial services business under such a changed name?				
1.2.2. <i>If the answer to question 1.2.1 is YES -</i>				
1.2.2.1. Did the FSP fully comply with the provisions of any other law than the Act, which regulates such change of business name (if any)?				
1.2.2.2. Has the FSP fully disclosed to the Registrar the details of such compliance with such other law?				
1.2.2.3. Did the FSP replace all license copies displayed in terms of section 8(8)(a) with the copies of the licence as amended under the provisions of section 8(5)(b)(i) of the Act?				
<b>1.3. Financial Products in respect of which FSP renders financial services</b> <i>Condition 5 imposed by the Registrar in terms of section 8(4) of the Act</i>				
1.3.1. Does the FSP have internal controls and procedures in place to ensure that any financial product in respect of which the provider intends to render a financial service, qualifies as a financial product contemplated in the Act?				
1.3.2. Did the FSP render financial services relating to financial products that do not qualify as financial products as contemplated in the Act?				
<b>1.4. Financial Products in respect of which FSP renders financial services</b> <i>Authorisation in terms of the licence of the FSP</i>				
1.4.1. Does the FSP have internal controls and procedures in place to ensure that financial services are rendered within the limitations on categories and sub-categories for which the licence is issued?				
1.4.2. Did you (compliance officer) perform monitoring procedures (testing) on a sample basis during the monitoring process to ensure that the financial services rendered are in terms of limitations on the category and subcategory for which the licence is issued?				
1.4.2.1. <i>If the answer to question 1.4.2 is YES -</i>				
Did the FSP in all instances in the selected sample comply with limitations on the licence?				
<b>2. Key individuals</b> <i>Section 8(1) and 8(4)(b) of Act</i> <i>Determination of Fit and Proper Requirements for Financial Services Providers</i>				
2.1. Provide the number of approved key individuals as at the reporting date in column 5.				

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
<b>2.2. Approval of key individuals</b> <i>Determination of Procedure for Approval of Key Individual</i>					
2.2.1. Did the FSP appoint new key individuals during the reporting period?					
2.2.2. <i>If the answer to question 2.2.1 is YES -</i> Did all key individuals that were appointed during the reporting period apply for approval by the Registrar before taking part in the conduct or management or overseeing of the FSP's business activities in respect of the rendering of financial services?					
<b>2.3. Replacement of key individuals</b> <i>Section 8(4)(b) of the Act</i> <i>Condition 3 imposed by the Registrar in terms of section 8(4) of the Act</i>					
2.3.1. Does the FSP have procedures in place to ensure that if any change occurs in the personal circumstances of a key individual that affects the Fit and Proper Requirements, the person will be removed as a key individual and that the Registrar is informed?					
<b>2.4. Fit and Proper Requirements for key individuals</b> <i>Determination of Fit and Proper Requirements for Financial Services Providers</i>					
2.4.1. Did any changes occur in the personal circumstances of any key individual that affected the Fit and Proper Requirements of the person?					
2.4.2. <i>If the answer to question 2.4.1 is YES -</i> Did the FSP inform the Registrar of the circumstances?					
2.4.3. <i>If the answer to question 2.4.2 is NO -</i> Provide details of instances where the Registrar was not informed of the change of the personal circumstances of any key individual in a separate attachment and list it under comments in column 5.					
<b>3. Licence of the FSP</b> <i>Section 8(8) of the Act</i> <i>Exemption of Licensees as regards references to Licenses in Business Documentation, Board Notice 71 of 2004</i>					
3.1. Is a certified copy of the licence of the FSP displayed within every business premises of the FSP?					
3.2. Can a copy of such a licence be obtained on request?					
3.3. Is a reference to the fact that a licence is held contained in all business documentation and advertisements?					



Question		Column				
		1	2	3	4	5
		Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
<b>4. Representatives Sections 13 and 14 of the Act</b>						
<b>4.1. Confirmation of status of representatives Section 13(1)(b)(i) of the Act</b>						
4.1.1.	Does the FSP have procedures in place to enable representatives to provide clients with confirmation, as certified by the provider, of their status as representative?					
<b>4.2. Competency of representatives Section 13(2)(a) of the Act</b>						
4.2.1.	Does the FSP have procedures in place to ensure that representatives and key individuals of representatives of the FSP are competent to render financial services to clients taking in account the requirements stipulated in the <i>Determination of Fit and Proper Requirements of Financial Services Providers</i> relating to 4.2.1.1. personal character qualities of honesty and integrity; and 4.2.1.2. competence and operational ability?					
4.2.2.	Provide the number of representatives that, on the reporting date, are rendering services under supervision as contemplated in paragraph 3 of the <i>Exemption of Financial Services Providers as regards Representatives, Board Notice 95 of 2003</i> in column 5					
4.2.3.	Provide the number of key individuals and representatives that acted as supervisors in respect of services under supervision on reporting date in column 5					
4.2.4.	Does the FSP have procedures in place to monitor the compliance of supervisors with paragraph 3(b)(i) and (ii) of the Exemption mentioned in Question 4.2.2 Attach a copy of the procedure and indicate the annexure number in column 5.					
4.2.5.	Does the FSP disclose to clients the fact that a representative is rendering financial services under supervision?					
<b>4.3. Representatives' compliance with the Code of Conduct Section 13(2)(b) of the Act and Section 5(f) of the Code of Conduct</b>						
4.3.1.	Does the FSP have procedures in place to ensure that all representatives comply with the Codes of Conduct applicable to the FSP?					
<b>4.4. Register of representatives and key individuals of representatives Section 13(3) and 13(5) of the Act and licensing condition</b>						
4.4.1.	Did the FSP within one month of the date contemplated in section 7 of the Act or authorisation date, submit a copy of the register kept in terms of section 13(3) of the Act to the Registrar, if it was not provided with the application form?					



Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop- mental area	Note No. Comment/ Annexure
4.4.2. Did the FSP in accordance with the procedure and time limit set out in condition 1 of the licence, inform the Registrar of any change effected to the details as contained in the representative register?					
<b>4.5. Debarment of representatives Section 14 of the Act</b>					
4.5.1. Did the FSP during the reporting period debar any representatives in terms of section 14(1) of the Act?					
4.5.2. Did the FSP remove the names of the representative and its key individuals from the register?					
4.5.3. Did the FSP inform the Registrar accordingly in terms of section 14(3) of the Act?					
<b>5. Insurance cover Sections 5(e) and 13 of the General Code of Conduct</b>					
5.1. Does the FSP have professional indemnity cover? Provide the extent of the cover in column 5					
5.2. Does the FSP have fidelity insurance cover? Provide the extent of the cover in column 5					
5.3. Does the FSP have guarantees in place as contemplated in section 13 of the General Code? Provide the extent of the guarantees in column 5					
5.4. Does the FSP disclose to clients in terms of section 5(e) of the General Code whether it holds guarantees or professional indemnity or fidelity insurance cover?					
<b>6. Compliance function Section 17 of the Act and Chapter IV of Regulations</b>					
6.1. Is the compliance function established as part of the risk management framework of the business of the FSP?					
6.2. Do you (compliance officer) under regulation 5(3) of the Regulations provide quarterly written reports on the compliance monitoring and recommendations relating to the FSP					
6.3. Has there been compliance with section 17(3) of the Act?					
6.4. Do you (compliance officer) have any comments to make on the procedures contemplated in section 17(3) of the Act which the FSP has established as regards their maintenance and efficacy?					
6.5. <i>If the answer to question 6.4 is YES -</i> Attach a written copy of your comments as an annexure, note it in column 5 (restrict it to a maximum of 5 pages)					

Question	Column				
	1 Yes	2 No	3 Not applicable	4 Develop - mental area	5 Note No. Comment/ Annexure
<b>7. Maintenance of records</b> <i>Section 18 of the Act and the General Code of Conduct</i>					
7.1.1. Does the FSP keep records of the following as contemplated in section 18 of the Act:					
7.1.1.1. complaints received together with an indication whether or not any such complaint has been resolved;					
7.1.1.2. cases of non-compliance with the Act and reasons for such non-compliance;					
7.1.1.3. known premature cancellations of transactions or financial products by clients of the provider?					
7.1.2. Does the FSP have systems in place to record verbal and written communications to clients relating to the rendering of financial services?					
7.1.3. Are the records stored in an electronic format?					
7.1.4. Are these records stored in a manner that is in accordance with acceptable standards that it will be safe from destruction?					
7.1.5. Does the FSP utilise off-site storing facilities?					
7.1.6. Does the FSP have process in place to ensure that records are kept for 5 years after termination of the financial product?					
<b>8. General Code of Conduct</b>					
<b>8.1. General provisions</b> <i>Section 3 of the General Code of Conduct</i>					
8.1.1. Did the FSP or its representatives during the reporting period receive non-cash incentives and / or other indirect considerations for the rendering of financial services from another provider, product supplier or other person? <i>If the answer to question 8.1.1 is YES -</i>					
8.1.2. Did the FSP disclose the non-cash incentives and other indirect considerations to its clients where applicable?					
8.1.3. 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 client beforehand?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop- mental area	Note No. Comment/ Annexure
<b>8.2. Disclosure requirements</b> <i>Sections 4, 5 and 7 of the General Code of Conduct</i>					
8.2.1. Does the FSP have procedures and internal controls in place to ensure that all the relevant information in terms of sections 4, 5 and 7 of the General Code of Conduct is disclosed to clients?					
8.2.2. Did you (compliance officer) perform monitoring procedures on a sample basis to ensure that the FSP disclosed relevant information in terms of sections 4, 5 and 7 of the General Code of Conduct to its clients where applicable?					
8.2.3. If the answer to question 8.2.2 is YES - Did the FSP comply in all instances in the selected sample with the General Code?					
<b>8.3. Furnishing of advice and record of advice</b> <i>Section 8 and 9 of the General Code of Conduct</i>					
8.3.1. Is the FSP licensed to furnish advice?					
8.3.2. If the answer to question 8.3.1 is YES -					
8.3.2.1. Does the FSP have procedures in place to ensure that an analysis of the client's financial situation and objectives are performed when advice is furnished?					
8.3.2.2. Does the FSP use a standardised computer programme to do the analysis?					
8.3.2.3. Does the FSP have procedures in place relating to replacement products to ensure compliance with section 8(1)(d) of the General Code of Conduct?					
8.3.2.4. Does the FSP keep a record of advice as contemplated in section 9(1) of the Act?					
8.3.2.5. Does the FSP provide its clients with the record of advice as contemplated in section 9(2) of the General Code of Conduct?					
<b>8.4. Custody of Financial Products and Funds</b> <i>Section 10 of the General Code of Conduct</i>					
8.4.1. Does the FSP receive or hold financial products or funds of or on behalf of clients?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental areas	Note No. Comment/ Annexure
8.4.2. <i>If the answer to question 8.4.1 is YES -</i>					
8.4.2.1. Does the FSP have an approved auditor in terms of section 19 of the Act?					
8.4.2.2. Does the FSP issue written confirmation of receipts to clients when documents of title are lodged with the FSP or when funds are received into safe custody without the mediation of a bank?					
8.4.2.3. Does the FSP have procedures in place to ensure that the client financial products or funds are readily discernible from private assets or funds of the FSP?					
8.4.2.4. Does the provider, for purposes of section 10(3) of the General Code, comply with section 45 of the Short-term Insurance Act, 1998 (Act No. 53 of 1998) (applicable to FSPs that receive short term insurance premiums only)?					
8.4.2.5. <i>If the answer to question 8.4.2.4 is NO</i> Does the FSP maintain a separate account, designated for clients' funds, at a bank?					
8.5. Risk management <i>Sections 11 and 12 of the General Code of Conduct</i>					
8.5.1. Does the FSP have and employ appropriate risk management resources, procedures, systems and controls within the contemplation of sections 11 and 12 of the General Code of Conduct?					
8.6. Advertising <i>Section 14 of the General Code of Conduct</i>					
8.6.1. 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?					
8.7. Direct Marketing <i>Paragraph 15 of the General Code of Conduct</i>					
8.7.1. Does the FSP act as a direct marketer?					
8.7.2. <i>If the answer to question 8.7.1 is YES -</i>					
8.7.2.1. Does the FSP have recording systems in place to record all telephone conversations with clients in the course of direct marketing?					
8.7.2.2. Does the FSP have appropriate procedures and systems in place to store and retrieve recordings?					
8.8. Complaints <i>Section 16 to 19 of the General Code of Conduct</i>					
8.8.1. Does the FSP have a complaints resolution systems and procedures in place that comply with sections 16 to 19 of the General Code of Conduct?					



Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
<b>8.9. Waiver of rights</b> <i>Section 21 of the General Code of Conduct</i>					
8.9.1. Does the FSP have procedures in place to ensure that its representatives do not request or induce a client to waive any right or benefit conferred on the client by or in terms of any provision of the General Codes of Conduct?					
<b>9. Exemptions</b> <i>Sections 44 and 45 of the Act</i>					
<b>9.1. Exemption in respect of certain applicants for authorisation, Board Notice 94 of 2004 and Board Notice 104 of 2004</b>					
9.1.1. Was the FSP subject to the exemption granted in terms of Board Notice 94 of 2004?					
9.1.2. <i>If the answer to question 9.1.1 is YES -</i> Did the FSP during the period contemplated in the exemption comply with paragraph 4 of the exemption?					
9.1.3. Was the FSP subject to the exemption granted in terms of paragraph 3(1)(a) of Board Notice 104 of 2004?					
<b>9.2. Exemption of banks in respect of certain clients</b> <i>Board Notice 103 of 2004</i>					
9.2.1. Is the FSP a bank as defined in Board Notice 103 of 2004?					
9.2.2. <i>If the answer to question 9.2.1 is YES -</i> Did the FSP utilise the exemption in terms of Board Notice 103 of 2004?					
<b>9.3. Exemption of certain office holders</b> <i>Board Notice 97 of 2004</i>					
9.3.1. Did the FSP utilise the exemption in terms of Board Notice 97 of 2004?					
<b>10. Money laundering control procedures</b>					
10.1. Does the FSP have control procedures in place to ensure that it complies with paragraph 4(2) of the Determination of Fit and Proper Requirements for Financial Services Providers, 2003?					
<b>11. Financial soundness</b>					
11.1. Did the FSP during the reporting period have controls in place to ensure that it complies with paragraph 5(2) of the Fit and Proper Requirements for Financial Services Providers?					

Column						
	Question	1	2	3	4	5
		Yes	No	Not applicable	Developmental area	Note No. Comment/ Annexure
<b>SECTION 2 – ADMINISTRATIVE FSPs</b>						
<b>12. Particular duties/obligations relating to administrative FSPs</b>						
<b>12.1. Prohibitions and duties of administrative FSP</b> <i>Section 3 of the Code of Conduct for Administrative FSPs, 2003</i>						
	12.1.1. Does the FSP have procedures in place to ensure that it does not directly or indirectly engage in the netting of transactions?					
	12.1.2. Does the FSP have procedures in place to ensure that it does not directly or indirectly sell any financial products owned by the FSP to any client or buy for own account any financial product owned by any client?					
	12.1.3. Did the FSP exercise a vote in a ballot conducted by a collective investment scheme on behalf of clients?					
<b>12.2. General Functions</b> <i>Section 4 of the Code of Conduct for Administrative FSPs, 2003</i>						
	12.2.1. Does the FSP have procedures in place to ensure that prior to accepting instructions from a person who is providing an intermediary service on behalf of a client, can be ascertained whether the person giving the instructions is required to be an authorised financial services provider?					
<b>12.3. Relationship with clients</b> <i>Sections 5 and 6 of the Code of Conduct for Administrative FSPs, 2003</i>						
	12.3.1. Does the FSP have procedures in place to ensure that it only deals with clients in respect of whom mandates which comply with section 5 of the said Code have been obtained?					
	12.3.2. Did the Registrar approve all mandates utilised by the FSP during the reporting period?					
<b>12.4. Record Keeping</b> <i>Section 7 of the Code of Conduct for Administrative FSPs, 2003</i>						
	12.4.1. Are client records maintained to identify the specific financial product owned per client?					
<b>12.5. Independent Nominee</b> <i>Section 9 of the Code of Conduct for Administrative FSPs, 2003</i>						
	12.5.1. Does the FSP have a written agreement with the independent nominee?					
	12.5.2. Did the Registrar approve the written agreement between the FSP and the independent nominee as required by regulation 8 of the Regulations?					



Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop- mental area	Note No. Comment/ Annexure
<b>12.6. Reporting to clients</b> <i>Section 10 of the Code of Conduct for Administrative FSPs, 2003</i>					
12.6.1. Did you (compliance officer) performed procedures during the monitoring process on a sample basis to ensure that the FSP did send the client reports within the period as required by the said section 10?					
<b>SECTION 3 – DISCRETIONARY FSPs</b>					
<b>13. Particular duties/obligations relating to discretionary FSPs</b>					
<b>13.1. Mandate</b> <i>Section 5 of the Code of Conduct for Discretionary FSPs, 2003</i>					
13.1.1. Did you (compliance officer) perform procedures during the monitoring process on a sample basis to ensure that the FSP only deals with clients in respect of whom mandates which comply with paragraph 5 of the said Code have been obtained?					
<b>13.2. Reporting to clients</b> <i>Section 6 of the Code of Conduct for Discretionary FSPs, 2003</i>					
13.2.1. Did you (compliance officer) perform procedures during the monitoring process on a sample basis to ensure that the FSP did send the client reports within the periods as required by the said section 6?					
<b>13.3. Nominee companies</b> <i>Section 7 of the Code of Conduct for Discretionary FSPs, 2003</i>					
13.3.1. Does the FSP hold client investments in its own nominee company?					
13.3.2. If the answer to question 13.3.1 is YES, Did the Registrar approve the nominee company as required by regulation 6 of the Regulations?					
<b>SECTION 4 – FOREX FSPs</b>					
<b>14. Particular duties/obligations relating to forex FSPs</b>					
<b>14.1. Special provisions applying to forex investment intermediaries</b> <i>Section 5 of the Forex Investment Business Code of Conduct</i>					
14.1.1. Did you (compliance officer) perform procedures during the monitoring process on a sample basis to ensure that the FSP only deals with clients in respect of whom mandates which comply with section 5 of the said Code have been obtained?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
<p><b>14.2. Special prohibitions applying to forex investment advisors</b>  <i>Section 9 of the Forex Investment Business Code of Conduct</i></p> <p>14.2.1. Did you (compliance officer) perform procedures during the monitoring process on a sample basis to ensure that the FSP have only deals with clients in respect of whom application forms which comply with section 9 of the said Code have been obtained?</p>					
<p><b>SECTION 5 -- HEALTH SERVICE BENEFITS</b></p>					
<p><b>15. Accreditation under section 65(3) of the Medical Schemes Act, 1998</b>  <i>Section 8(7)(e) of Act</i></p> <p>15.1. Is the FSP licensed to render financial services relating to health service benefits?</p> <p>15.2. <i>If the answer to question 15.1 is YES</i>                      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?</p>					
<p><b>SECTION 6 - SAMPLING</b></p>					
<p>16. Provide a short description of the sampling or other methodology used in the monitoring procedures (testing) mentioned in this report in a separate schedule and list the number of the attachment in column 5</p>					

SECTION 7 - ATTACHEMENTS		
Question number	Comments	Additional Information attached Annexure reference no

To be completed by the compliance officer or, in the absence of a compliance officer, the FSP

Name of compliance officer of FSP \_\_\_\_\_

Name of the compliance practise (if applicable) \_\_\_\_\_

Reference number of compliance officer/practise \_\_\_\_\_

Capacity of signatory \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone number \_\_\_\_\_

E-mail address \_\_\_\_\_

To be completed by one of the key individuals of the FSP to acknowledge that they are aware that the report will be forwarded to the Registrar

Name of Key Individual \_\_\_\_\_

Date appointed as key individual \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_