

		Column				
Question		1	2	3	4	5
		Yes	No	Not applicable	Developmental area	Note No. Comment/Annexure
8.5.2.4	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?					
8.5.3	Does the FSP collect short term insurance premiums from clients in accordance with section 45 of the Short-term Insurance Act, 1998 (Act No. 53 of 1998)?					
8.5.4	Does the FSP have IGF Guarantee in terms of Section 45 of the Short-term Insurance Act?					
8.5.5	<b>If the answer to Question 8.5.4 is YES-</b>					
8.5.5.1	Provide a copy of the IGF schedule as a separate annexure and submit the annexure number in column 5.					
8.5.6	Does the FSP have procedures in place to ensure that the client's financial products can be readily distinguished from private assets of the FSP?					
8.6	<b>Risk management</b> <i>Sections 11 and 12 of the General Code of Conduct</i>					
8.6.1	Does the FSP have and employ appropriate risk management resources, procedures, systems and controls as described in sections 11 and 12 of the General Code of Conduct?					
8.6.2	Does the FSP have a documented Risk Management Plan?					
8.6.3	In a separate annexure, provide details as to how the Risk Management Plan is monitored. Indicate the annexure number in column 5.					
8.7	<b>Advertising</b> <i>Section 14 of the General Code of Conduct</i>					
8.7.1	Does the FSP advertise its financial services?					

		Column				
Question		1	2	3	4	5
		Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
8.7.2.	<b>If the answer to Question 8.7.1 is YES-</b>					
8.7.2.1	Does the FSP have procedures in place to ensure that all advertisements and advertising communications and/or material comply with section 14 of the General Code of Conduct?					
8.7.2.2	If the FSP advertised any of its services by telephone during the reporting period, did the FSP maintain an electronic, voice logged record of all communications?					
8.7.2.3	Is a reference to the fact that a licence is held contained in all advertisements that were placed during the reporting period?					
8.8	<b>Complaints</b> <i>Sections 16 to 19 of the General Code of Conduct</i>					
8.8.1.	Does the FSP have a complaints policy and resolution system in place that complies with sections 16 to 19 of the General Code of Conduct?					
8.8.2	Provide the following details on complaints referred to the Ombud during the reporting period: number of complaints referred to the Ombud, type of complaint (what the complaint was about) as well as the outcome of the complaint. Indicate the annexure number in column 5.					
8.9	<b>Termination of agreement or business</b> <i>Section 20 of the General Code of Conduct</i>					
8.9.1.	Does the FSP have procedures in place to ensure that it complies with section 20 of the General Code of Conduct?					
8.9.2.	Does the FSP have a business continuity plan and procedures in place to ensure that the clients will be serviced if the business is terminated for any reason?					
8.10	<b>Waiver of rights</b> <i>Section 21 of the General Code of Conduct</i>					
8.10.1.	Does the FSP have procedures in place to ensure that they 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 Code of Conduct? Provide details of any non-compliance 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
8.10.2. Does the FSP have procedures in place to ensure that it complies with the provisions of Section 21 of the General Code of Conduct?					
<b>9. Money laundering control procedures</b>					
9.1 Is the FSP an accountable institution in terms of Schedule 1 of FICA?					
9.2 <i>If the answer to question 9.1 is YES, Questions 9.3 to 9.8 must be answered–</i>					
9.3 Does the FSP have in place all the necessary policies, procedures and systems 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 of Fit and Proper Requirements for Financial Services Providers, 2008?					
9.4 Does the FSP obtain client information as required in terms of FICA?					
9.4.1. <i>If the answer to question 9.4 is YES – Provide details of non-compliance in a separate annexure and indicate the annexure number in column 5.</i>					
9.5 Did the FSP provide employees with ongoing or refresher training as required by FICA during the reporting period?					
9.6 Does the FSP have procedures in place to ensure that their staff is able to identify suspicious transactions and report it accordingly?					
9.7 Does the FSP have procedures in place to risk rate the clients in order to establish which clients pose a higher risk to the entity?					
9.8 Does the FSP rely on a third party (any other institution) for the identification and verification of clients in terms of exemption 4 under FICA?					

		Column				
Question		1	2	3	4	5
		Yes	No	Not applicable	Develop-mental area	Note No. Comment/Annexure
<b>10. Financial soundness</b>						
10.1	Did the FSP comply with the solvency requirements as required in terms of paragraph 9 of the Fit and Proper requirements for Financial Services Providers at all times during the reporting period?					
10.2	Does the FSP prepare monthly accounting records in terms of section 19 of the Act?					
<b>11. Monitoring</b>						
11.1	<b>Please indicate the type of monitoring that you (compliance officer) performed:</b>					
11.1.1	Financial products in which the FSP renders financial service.					
11.1.2	Representatives under supervision.					
11.1.3	Disclosure documents to check compliance with sections 4 and 5 of the General Code of Conduct.					
11.1.4	Disclosure documents to check compliance with section 7 of the General Code of Conduct.					
11.1.5	Furnishing of advice and record of advice.					
11.1.6	Receipt of funds and/or collection of premiums.					
11.1.7	Waiver of rights.					
11.1.8	Money laundering control procedures.					



Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
11.1.9 Exchange control regulations (in case of a forex FSP).					
11.1.10 Policies and procedures.					
11.1.11 Mandates and application forms.					
11.1.12 Other. Please provide details of other type of monitoring in a separate annexure and indicate the annexure number in column 5.					
11.1.13 In a separate annexure, provide an explanation as to how you did the monitoring (methodology). Please also include the extent of monitoring. Indicate the annexure number in column 5.					
<b>SECTION 2 – DISCRETIONARY FSPs</b>					
<b>12 Particular duties/obligations relating to discretionary FSPs</b>					
<b>12.1 Prohibitions and duties of discretionary FSP</b>					
<i>Section 3 of the Code of Conduct for Discretionary FSPs, 2003</i>					
12.1.1 Does the FSP have procedures in place to ensure that it does not:					
12.1.1.1 sell or provide a third party with clients' detail, unless obliged by, or in terms of, any law to do so?					
12.1.1.2 directly or indirectly, sell any financial products owned by the FSP, to any client or buy for own account, any financial product owned by the client?					
12.1.1.3 directly or indirectly, engage in the netting of transactions?					

		Column				
Question		1	2	3	4	5
		Yes	No	Not applicable	Develop- mental area	Note No. Comment/ Annexure
12.1.2	Did the FSP exercise a vote in a ballot conducted by a collective investment scheme or exercise voting rights on behalf of clients without relevant client's prior approval?					
12.2	<b>Mandate</b> <i>Section 5 of the Code of Conduct for Discretionary FSPs, 2003</i>					
12.2.1	Did the Registrar approve all specimen mandate/s used by the FSP?					
12.2.2	Does the FSP have procedures in place 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?					
12.2.3	Does the FSP have procedures in place to ensure that all cash, assets and documents of title are returned to the clients on termination of the mandate?					
12.2.4	Does the FSP have procedures in place to ensure that the clients are issued with final statement accounts?					
12.2.5	Does the FSP have procedures in place to ensure that the client's investments are managed in terms of the mandates?					
12.2.6	Did the FSP invest any funds of clients in terms of the mandate into companies and/or structures in which the FSP or any associated group or entity have an interest in?					
12.2.7	<i>If the answer to Question 12.2.6 is YES - Provide full details of such instances in a separate annexure and indicate the annexure number in column 5.</i>					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
<b>12.3 Reporting to clients</b> <i>Section 6 of the Code of Conduct for Discretionary FSPs, 2003</i>					
12.3.1 Does the FSP have procedures in place to ensure that reports are sent to clients within the periods as required by the said section 6?					
12.3.2 Did the FSP comply with the requirements of the said section 6 in all instances?					
12.3.3 <i>If the answer to Question 12.3.2 is NO – Provide details of any non-compliance in a separate annexure and indicate the annexure number in column 5.</i>					
<b>12.4 Administration</b>					
12.4.1 Does the FSP hold and/or manage funds on behalf of clients?					
12.4.2 <b><i>If the answer to Question 12.4.1 is YES -</i></b>					
12.4.2.1 As a separate annexure, submit an organogram of the FSP and details of the FSPs administrative system that is utilised for managing client assets? Indicate the annexure number in column 5.					
12.4.2.2 As a separate annexure, submit details of the computer software packages and/or programmes that the FSP utilises in the administration process. Indicate the annexure number in column 5.					
12.4.3 Does the FSP outsource any of its functions? Provide details of the outsourced functions (type of functions as well as whom it has been outsourced to) in a separate annexure and indicate the annexure number in column 5.					
12.4.4 Does the FSP manage assets on behalf of retirement funds and/or insurance companies?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
12.4.5 <i>If the answer to Question 12.4.4 is YES –</i> Does the FSP have procedures in place to establish whether the assets are held in the name of the client or in the name of an approved Nominee Company?					
12.4.6 Does the FSP hold separate accounts in the name of the clients?					
<b>12.5 Assets under management</b>					
12.5.1 Provide the amount of assets under management on the reporting date in column 5.					
<b>12.6 Nominee companies</b> <i>Section 8 of the General Code of Conduct for Discretionary FSPs, 2003</i>					
12.6.1 Does the FSP hold client investments?					
<b>12.6.2 If the answer to Question 12.6.1 is YES -</b>					
12.6.2.1 Does the FSP hold client investments in its own nominee company approved by the Registrar as required in terms of regulation 6 of the Regulations?					
12.6.2.2 Does the FSP make use of another approved Nominee company to hold client assets?					
12.6.2.3 As a separate annexure, attach a list of Nominee Companies that the FSP make use of to hold client assets. Also indicate whether the Nominee Company holds assets on behalf of pension funds and/or long-term insurers and/or short-term insurers. Indicate the annexure number in column 5.					
<b>12.7 General functions</b>					
12.7.1 Does the FSP manage client's funds in wrap funds or structured funds on an administrative FSPs platform?					



Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop - mental area	Note No Comment/ Annexure
12.7.2 If the answer to question 12.7.1 is YES – In a separate annexure, provide details of the funds and underlying assets in the wrap funds or structured funds. Provide the annexure number in column 5.					
12.7.3 Is the FSP authorised to render financial service for Long-term Insurance products?					
12.7.3.1 If the answer to Question 12.7.3 is YES - In a separate annexure, list the names of product suppliers that the FSP utilise. Indicate the annexure number in column 5.					
<b>SECTION 3 – FOREX FSPs</b> <i>The Forex code covers 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>					
<b>13 Particular duties/obligations relating to forex FSPs</b>					
<b><i>If the FSP is licensed for subcategory 1.15 Questions 13.1 to 13.20 must be answered.</i></b>					
13.1 Is the FSP licensed to give advice as a forex service provider?					
13.2 In a separate annexure, provide details of the clearing firm as well as the name and contact details of the Regulator. Indicate the annexure in column 5.					
13.3 Did the FSP provide clients with the name and contact details of the clearing firm?					
13.4 Did the FSP provide clients with the name and contact details of the Regulator under whose jurisdiction the activity of the clearing firm falls?					
13.5 Does the FSP act as a forex advisor in respect of managed accounts and/or self directed accounts?					

Question	Column				
	1	2	3	4	5
	Yes	No	Not applicable	Develop-mental area	Note No. Comment/ Annexure
13.5.1 <i>If the answer to Question 13.5 is YES –</i> 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.					
13.5.2 In respect 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.					
13.5.3 Does the FSP provide regular training sessions to educate and assist the clients to optimise their trading skills?					
13.6 Did the FSP make any substantial changes to this application form without prior approval of the Registrar?					
13.7 Does the FSP take reasonable steps to ensure that the forex investment to be advised on is suitable for the client?					
13.8 <i>If the answer to Question 13.7 is YES –</i> In a separate annexure, provide full details of the procedures that the FSP has put in place to ensure that the client's objectives, risk appetite, financial situation and foreign investment product experience are obtained in order to act in their best interests at all times. Indicate the annexure number in column 5.					
13.9 In a separate annexure, provide full details of the procedures that the FSP have put in place to ensure that risks associated with forex investments (including currency fluctuations), are disclosed to clients? Indicate the annexure number in column 5.					
13.10 Does the FSP have procedures in place to ensure that the forex investment intermediary, to whom clients are referred to, is an authorised FSP?					
13.11 Does the FSP have an appropriate written agreement in place to govern the relationship with forex intermediaries to whom clients are referred?					

		Column				
Question		1	2	3	4	5
		Yes	No	Not applicable	Develop - mental area	Note No. Comment/ Annexure
13.12	Does the FSP ensure that clients comply with exchange control regulations (including tax legislation) when giving advice on forex investment business? If any non-compliance were found, please provide full details thereof as a separate annexure and indicate annexure number in column 5.					
13.13	Does the FSP advise clients to invest by means of margin trading?					
13.14	<i>If the answer to Question 13.13 is YES –</i> In a separate annexure, provide full details of the procedure that the FSP has put in place to ensure that the minimum leverage required does not exceed widely used industry norms. Indicate the annexure number in column 5.					
13.15	In a separate annexure, provide full details of the procedures that the FSP has put in place to ensure all fees, charges, costs and commission payable to the different stakeholders involved in the forex investment process are fully and adequately disclosed.					
13.16	Does the FSP directly obtain reports and statements from the clearing firm or foreign forex services provider and make them available to clients in hard copy format or by electronic means?					
13.17	If the reports and statements referred to in question 13.16 above are generated by the clearing firm or foreign forex service provider, can the contents of the statements be altered by the FSP before being made available to clients or viewed online?					
13.18	In a separate annexure, provide a full explanation setting out how client's funds held offshore will be treated if the FSP is wound up, liquidated or ceases to conduct business. Indicate the annexure number in column 5.					
13.19	Does the FSP ensure that a foreign forex service provider which holds investments on behalf of clients maintains insurance cover to guard against risk of loss due to fraud, dishonesty and negligence?					

		Column				
Question		1	2	3	4	5
		Yes	No	Not applicable	Develop-mental area	Note No. Comment/Annexure
13.20	Is the FSP a forex spot trader as defined in the Forex investment Business Code of Conduct? Provide full details of the clearing firm as well as the Regulator in a separate annexure and indicate the annexure number in column 5.					
<b>13.21</b>	<b>If the FSP is licensed for subcategory 2.13 Question 13.21.1 must be answered</b>					
13.21.1	<b>Special prohibitions applying to forex investment intermediaries</b> <i>Section 5 of the Forex Investment Business Code of Conduct</i>					
13.21.1.1	Does the FSP render forex investment intermediary services?					
13.21.1.2	Provide full details of the clearing firms the FSP deals with as well as the name and contact details of the Regulator in a separate annexure and indicate annexure number in column 5.					
13.21.1.3	In a separate annexure, provide a list of the product suppliers and the countries they are domiciled in as a separate annexure and indicate annexure number in column 5.					
13.21.1.4	Does the FSP deal on behalf of clients by means of margin trading?					
13.21.1.5	<i>If the answer to Question 13.21.1.4 is YES –</i> In a separate annexure, provide full details of the procedures that the FSP has put in place to ensure that the minimum leverage required does not exceed widely used industry norms. Indicate the annexure number in column 5.					
13.21.1.6	Did the FSP amend the specimen mandate/s substantially during the reporting period without prior written approval of the Registrar?					
13.21.1.7	If the FSP amended any of its specimen mandates during the reporting period, did the Registrar approve such substantial amendments?					