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## GOVERNMENT NOTICE

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### NATIONAL TREASURY

No. 366

29 April 2015

#### **REQUEST FOR PUBLIC COMMENTS ON THE DRAFT FINANCIAL INTELLIGENCE CENTRE AMENDMENT BILL, 2015, AND WITHDRAWAL OF GOVERNMENT NOTICE 342 OF 21 APRIL 2015**

Government Notice No. 342 published in Gazette No. 38728 of 21 April 2015 is withdrawn.

The National Treasury ("NT") and the Financial Intelligence Centre ("FIC") publish the draft Financial Intelligence Centre Amendment Bill, 2015 ("the Bill") as approved by Cabinet at its meeting of 15 April 2015.

#### **Purpose and Objectives of the Bill**

The Bill seeks to enhance South Africa's ability to combat financial crimes by proposing measures to address threats to the stability of South Africa's financial system posed by money laundering and terrorism financing. The Bill also addresses regulatory gaps identified from the 2009 Financial Action Task Force Mutual Evaluation on South Africa and the 2014 IMF South Africa Financial Sector Assessment Programme Technical Note on Anti-Money Laundering ("AML") and Combating the Financing of Terrorism ("CFT").

The Bill enhances South Africa's AML and CFT regulatory regime by specifically:

- Providing for the implementation of the United Nations Security Council Resolutions relating to the freezing of assets;
- Enhancing the supervisory powers of the FIC and extending its functions in relation to suspicious transactions;
- Providing for the adoption of a risk-based approach to customer due diligence measures;
- Introducing the concepts of beneficial ownership, on-going due diligence, and foreign and domestic prominent influential persons;
- Enhancing the customer due diligence requirements;
- Dissolving the Counter-Money Laundering Advisory Council; and
- Enhancing certain administrative and enforcement mechanisms.

#### **Available documents**

The Bill and accompanying documents are available on the NT ([www.treasury.gov.za](http://www.treasury.gov.za)) and FIC ([www.fic.gov.za](http://www.fic.gov.za)) websites.

#### **Process**

Comments on the Bill are invited and should be sent to Mr Raymond Masoga, Director for Financial Integrity, at [FICBill@treasury.gov.za](mailto:FICBill@treasury.gov.za) or faxed to 012 315 5206 by **31 May 2015**.

The NT and FIC will be convening meetings with interested stakeholders.

It is anticipated that the Bill will be submitted to Cabinet by June 2015.