

South Africa

Financial Intelligence Centre Act, 2001

Directive 7 of 2023: Submission of a risk and compliance return by specified accountable institutions

Government Notice 3253 of 2023

Legislation as at 31 March 2023

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Directive 7 of 2023: Submission of a risk and compliance return by specified accountable institutions
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Directive 7 of 2023: Submission of a risk and compliance return by specified accountable institutions

Government Notice 3253 of 2023

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This Directive is issued by the Financial Intelligence Centre (FIC) in terms of section 43A(3)(a) of the Financial Intelligence Centre Act, 2001 ([Act 38 of 2001](#)) (FIC Act).

This Directive applies to accountable institutions listed in items 11, 14, 20, 21 and 22 of Schedule 1 to the FIC Act.

1. Purpose of the Directive

- 1.1 This Directive serves to inform all accountable institutions specified in this Directive, that they must submit information regarding their understanding of money laundering (ML), terrorist financing (TF) and proliferation financing (PF) risks and their assessment of compliance with obligations in terms of the FIC Act to the FIC through a risk and compliance return.
- 1.2 The information obtained from the risk and compliance return will assist the FIC in forming an understanding of the levels of risk awareness and compliance of the responding accountable institution with the FIC Act and in identifying the ML, TF and PF risks facing different accountable institution sectors as designated in Schedule 1 to the FIC Act.

2. Directive

- 2.1 This Directive applies to accountable institutions that are listed in items 11, 14, 20, 21 and 22 of Schedule 1 to the FIC Act.
- 2.2 The completion of the risk and compliance return is compulsory for all accountable institutions specified in this Directive.
- 2.3 Accountable institutions must answer all questions in the risk and compliance return questionnaire as specified in Annexure "A".
- 2.4 Accountable institutions must answer all questions based on its understanding of ML, TF and PF risks and its implementation of current risk-based controls in compliance with the obligations set out in the FIC Act.

3. Format and frequency of risk and compliance return

- 3.1 The risk and compliance return covers the reporting period from 1 January 2023 to 30 June 2023, both dates inclusive.
- 3.2 The risk and compliance return must be submitted to the FIC no later than 17:00 on Monday, 31 July 2023.
- 3.3 The risk and compliance return is an automated return. Accountable institutions are required to populate the information directly via a link as made available on the FIC website.

4 Effective date and non-compliance

- 4.1 This Directive is effective from the date of publication in the government gazette.
- 4.2 Non-submission of the risk and compliance return will be considered non-compliance with this Directive and may result in an administrative sanction, in accordance with section 62E read with section 43A(3) of the FIC Act.