



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 614

31 August  
Augustus 2016

No. 40239

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5843



9 771682 584003

40239



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



**IMPORTANT NOTICE:**

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

**Contents**

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
<b>BOARD NOTICES • RAADSKENNISGEWINGS</b>			
148	Financial Advisory and Intermediary Services Act (37/2002): Amendment of the notice on qualifications, experience and criteria for approval as compliance officer .....	40239	4
149	Financial Advisory and Intermediary Services Act (37/2002): Amendment of the notice on exemption in respect of Services under Supervision rendered by Compliance Officers .....	40239	7

---

**BOARD NOTICES • RAADSKENNISGEWINGS**

---

**BOARD NOTICE 148 OF 2016****FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002  
(ACT NO. 37 OF 2002)****AMENDMENT OF THE NOTICE ON QUALIFICATIONS, EXPERIENCE AND CRITERIA  
FOR APPROVAL AS COMPLIANCE OFFICER**

I, Caroline Dey da Silva, the Deputy Registrar of Financial Services Providers, hereby, under section 17(1)(b) and (2)(a) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), amend the Notice on Qualifications, Experience and Criteria for Approval as a Compliance Officer, 2010, as set out in the Schedule to this Notice.



**CD Da Silva,**  
*Deputy Registrar of Financial Services Providers*

## SCHEDULE

### Definitions

1. In this Schedule **“the Notice”** means the Notice on Qualifications, Experience and Criteria for Approval as Compliance Officer, 2010, as published by Board Notice 127 of 2010 in Government Gazette No. 33537 of 9 September 2010.

### Amendment of paragraph 1 of the Notice

2. Paragraph 1 of the Notice is hereby amended by-

- (a) the insertion after the definition of “application form” of the following definitions:

**“Category I FSP”** means the person referred to in the definition of “Category I” as defined in section 1(1) of the Determination of Fit and Proper Requirements;

**“Category II FSP”** means the person referred to in the definition of “Category II” as defined in section 1(1) of the Determination of Fit and Proper Requirements;

**“Category IIA FSP”** means the person referred to in the definition of “Category IIA” as defined in section 1(1) of the Determination of Fit and Proper Requirements;

**“Category III FSP”** means the person referred to in the definition of “Category III” as defined in section 1(1) of the Determination of Fit and Proper Requirements;

**“Category IV FSP”** means the person referred to in the definition of “Category IV” as defined in section 1(1) of the Determination of Fit and Proper Requirements;”;

- (b) the insertion after the definition of “continuous professional development” of the following definitions:

**“Determination of Qualifying Criteria and Qualifications”** means the Determination of Qualifying Criteria and Qualifications for Financial Services Providers, Number 1 of 2008;”;

- (c) the insertion after the definition of “external compliance officer” of the following definition:

**“Fit and Proper Requirements”** means the Determination of Fit and Proper Requirements for Financial Services Providers, 2008;”; and

- (d) the substitution of the definition of “regulatory examination” of the following definition:

**“regulatory examination”** in relation to an applicant seeking approval to render compliance services in respect of-

- (a) a Category I or IV FSP, means the First Level Regulatory Examination referred to in section 1 of Annexure 1 of the Determination of Qualifying Criteria and Qualifications;

- (b) Category II or IIA FSP, means the First Level Regulatory Examination referred to in-

- (i) section 1 of Annexure 1 of the Determination of Qualifying Criteria and Qualifications; and

- (ii) section 2 of Annexure 1 of the Determination of Qualifying Criteria and Qualifications;
- (c) Category III FSP, means the First Level Regulatory Examination referred to in-
  - (i) section 1 of Annexure 1 of the Determination of Qualifying Criteria and Qualifications; and
  - (ii) section 3 of Annexure 1 of the Determination of Qualifying Criteria and Qualifications;”.

#### **Amendment of paragraph 3 of the Notice**

3. Paragraph 3 of the Notice is hereby amended by the substitution of subparagraph (1)(b) of the following subparagraph:

“(1)(b) have passed the applicable regulatory examination;”.

#### **Amendment of paragraph 9 of the Notice**

4. Paragraph 9 of the Notice is hereby amended by the omission of subparagraph (3).

#### **Amendment of paragraph 10 of the Notice**

5. Paragraph 10 of the Notice is hereby amended by-

- (a) the substitution of subparagraph (1) of the following subparagraph:

“(1) Compliance officers approved by the Registrar before or on the date of commencement of this Notice do not have to comply with paragraph 3(1)(a).”;

- (b) the substitution of subparagraph (2) of the following subparagraph:

“(2) Compliance officers approved by the Registrar on or before 31 August 2016 must comply with paragraph 3(1)(b) by 31 August 2017.”; and

- (c) the omission of subparagraphs (3) and (4).

#### **Short title and commencement**

6. This Notice is called the Amendment of the Notice on Qualifications, Experience and Criteria for Approval as Compliance Officer, 2016, and comes into operation on 1 September 2016.

**BOARD NOTICE 149 OF 2016****FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002  
(ACT NO. 37 OF 2002)****AMENDMENT OF THE NOTICE ON EXEMPTION IN RESPECT OF SERVICES UNDER  
SUPERVISION RENDERED BY COMPLIANCE OFFICERS**

I, Caroline Dey da Silva, the Deputy Registrar of Financial Services Providers, hereby, under section 44(4) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), and paragraph 5 of the Notice on Exemption in respect of Services under Supervision rendered by Compliance Officers, 2010, amend that Notice as set out in the Schedule to this Notice.



**CD Da Silva,**  
*Deputy Registrar of Financial Services Providers*

## SCHEDULE

### Definitions

1. In this Schedule “**the Notice**” means the Notice on Exemption in respect of Services under Supervision rendered by Compliance Officers, 2010, as published by Board Notice 126 of 2010 in *Government Gazette* No. 33537 of 9 September 2010.

### Amendment of paragraph 4 of the Notice

2. Paragraph 4(4) of the Notice is hereby amended by the substitution of subparagraph (b) of the following subparagraph:

“(b) the supervisee must pass the applicable regulatory examination within 24 months from the date of approval;”.

### Insertion of Transitional Arrangements

3. The Notice is amended by the insertion after paragraph 5 of the following paragraph and heading:

#### “Transitional arrangements

- 5A. A person who-
  - (a) at 1 September 2016 renders services under supervision as a supervisee; and
  - (b) was approved between 1 September 2013 and 31 August 2015, must pass the applicable regulatory examination by 31 August 2017.”.

### Short title and commencement

4. This Notice is called the Amendment of the Notice on Exemption in respect of Services under Supervision rendered by Compliance Officers, 2016, and comes into operation on 1 September 2016.





# **WARNING!!!**

## **To all suppliers and potential suppliers of goods to the Government Printing Works**

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 ([Renny.Chetty@gpw.gov.za](mailto:Renny.Chetty@gpw.gov.za)),

Anna-Marie du Toit (012) 748-6292 ([Anna-Marie.DuToit@gpw.gov.za](mailto:Anna-Marie.DuToit@gpw.gov.za)) and

Siraj Rizvi (012) 748-6380 ([Siraj.Rizvi@gpw.gov.za](mailto:Siraj.Rizvi@gpw.gov.za))

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065