



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 644

28 February 2019
Februarie

No. 42267

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



42267



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>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
National Treasury/ Nasionale Tesourie			
115	Financial Intelligence Centre Act (38/2001): Draft Amendments to Money Laundering and Terrorist Financing Control Regulations in terms of the Act	42267	4

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NATIONAL TREASURY**NOTICE 115 OF 2019****DRAFT AMENDMENTS TO MONEY LAUNDERING AND TERRORIST FINANCING CONTROL
REGULATIONS IN TERMS OF FINANCIAL INTELLIGENCE CENTRE ACT, 2001**

The Minister of Finance gives notice as required in terms of section 77(5)(a) of the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001) ("the FICA") of the publication of draft Amendments to the Money Laundering and Terrorist Financing Control Regulations ("the MLTFC Regulations") for public comment.

A copy of the draft Amendments to the MLTFC Regulations, along with a consultation paper, are available on the National Treasury website: www.treasury.gov.za.

Section 31 of the FICA requires those accountable institutions that move funds electronically across the borders of South Africa, on behalf of or on the instruction of another person, to report the relevant transactions, and the information that is prescribed by regulation pertaining to those transactions, to the Financial Intelligence Centre ("the FIC"). Section 31 provides further that only transactions exceeding a prescribed threshold are reportable.

Section 31 of the FICA has not yet been brought into operation. It must be brought into operation by a proclamation by the President that is published in the *Government Gazette*. For the section to become operative, the Minister of Finance must issue regulations to set the threshold for reportable transactions, and to regulate the reporting requirements in terms of section 31 of the FIC Act.

In the draft Amendments to the MLTFC Regulations, it is proposed that the threshold for the reporting of cross-border electronic funds transfers be set at R5000.00. All electronic cross-border transactions from a value of R5 000.00 and above will have to be reported to the FIC.

It is also proposed that all the relevant information pertaining to reportable cross-border funds transfers that should be included in reports on those transactions be provided for in the MLTFC Regulations. This includes information concerning the reporter, the transaction details, and the parties to the transaction.

In relation to reports on cash transactions in terms of section 28 of the FICA, it is proposed that the threshold amount be increased from the current R24,999.99 to R49,999.99. The obligation to report in terms of the section 28 of the FICA would arise when a transaction is concluded with a client by means of which cash in the amount of R50,000.00 and above is paid by the accountable or reporting institution to the client, or to a person acting on behalf of the client, or to a person on whose behalf the client is acting, or is received by the accountable or reporting institution from the client, or from a person acting on behalf of the client, or to a person on whose behalf the client is acting.

It is also proposed that the threshold amount for reporting transactions in terms of section 28 of the FICA should not be calculated on the basis of an aggregate amount of the transactions that occur over a 24 hour period, as currently provided in regulation 24 of the MLTFC Regulations.

Written comments on the draft amendment to the Financial Sector Regulations should be submitted to commentdraftlegislation@treasury.gov.za by close of business on 01 April 2019.

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:

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

Siraj Rizvi (012) 748-6380 (Siraj.Rizvi@gpw.gov.za)