



South African Reserve Bank
From the Office of
the Registrar of Banks

Confidential

2008-05-07

G4/08

TO ALL BANKS, CONTROLLING COMPANIES AND BRANCHES OF FOREIGN BANKS

**GUIDANCE NOTE 4/2008 ISSUED IN TERMS OF SECTION 6(5) OF THE BANKS ACT, 1990:
ISSUE OF A GUIDANCE NOTE BY THE FINANCIAL INTELLIGENCE CENTRE
(THE FIC) IN TERMS OF SECTION 4(C) OF THE FINANCIAL INTELLIGENCE CENTRE
ACT, 2001 (THE FIC ACT)**

EXECUTIVE SUMMARY

Banks Act Circular 6/2007 dated 14 November 2007 regarding consultation with banks, controlling companies and branches of foreign banks in respect of directives, circulars and guidance notes refers.

The purpose of this guidance note is to provide the banking industry with the FIC guidance note pertaining to practical applications of the FIC Act.

1. Introduction

Attached to this Guidance Note is a copy of *Government Gazette* Number 27803 of 18 July 2005 containing Guidance Note 3 issued on 14 July 2005 by the FIC. The purpose of the FIC Guidance Note is to assist banks with the practical application of certain sections of the FIC Act, in particular client-identification and verification requirements, as detailed in section 21 the FIC Act.

2. Guidance on procedure

In the event of banks encountering any further difficulties in exercising their duty in terms of the FIC Act, each bank is advised to clearly formulate such queries and to forward the same to this Office on a monthly basis by the fifth calendar day of each month. This Office will consolidate all queries and refer them to the FIC. Thereafter, this Office will respond directly to the bank concerned or, where necessary, the FIC could issue further guidance notes.

Finally, this Office again wishes to bring to the attention of all banks the national importance of the FIC Act, as well as the commitment required at the most senior level within all banks, in order to ensure full compliance by banks with their responsibilities in terms of the FIC Act.

3. Acknowledgement of receipt

Two additional copies of this guidance note are enclosed for the use of your institution's independent auditors. The attached acknowledgement of receipt, duly completed and signed by both the chief executive officer of the institution and the said auditors, should be returned to this Office at the earliest convenience of the aforementioned signatories.



E M Kruger
Registrar of Banks

The previous guidance note issued was Guidance Note 3/2008, dated 7 May 2008.