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Christopher Malan, Monitoring and Analysis

Monitoring and Analysis Department

Ref.: 14/9-Principal

13 October 2017



By mail

Dear Principal

MANAGEMENT OF AUTHORISED OFFICERS AND SHARING OF INFORMATION IN TERMS OF SECTION 40 OF THE FINANCIAL INTELLIGENCE CENTRE ACT 38 OF 2001, AS AMENDED

1. The Financial Intelligence Centre (FIC) was established through the promulgation of the Financial Intelligence Centre Act, No. 38 of 2001 (FIC Act) as amended, with the principle objective to assist in identifying the proceeds of unlawful activities and combating money laundering and financing of terrorism and related activities.
2. The FIC is South Africa's national financial intelligence unit tasked to, *inter alia*, provide financial intelligence to stakeholders including law enforcement agencies, intelligence agencies and the South African Revenue Service (SARS). In pursuance of its mandate, the FIC plays a key role in sharing trends and threats posed by criminal activities that assists investigating and prosecuting authorities to combat crime.
3. Section 40 of the FIC Act regulates access to the information held by the FIC. In essence, the FIC makes information reported to it and information obtained in terms of its mandate available at its initiative or upon receipt of requests from to specified stakeholders including investigating authorities, SARS, intelligence services and supervisory bodies in terms of the FIC Act.

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4. The appropriate handling of information received from the FIC is however of utmost importance to the FIC. The requirement of the confidentiality of information kept and shared by the FIC has become more stringent as a result of the recent amendments to the FIC Act. In this regard section 40(3) of the FIC Act allows the Director of the FIC to make reasonable procedural arrangements considered appropriate regarding the furnishing of information in order to maintain the confidentiality of information shared in terms of the FIC Act.
5. Certain FIC processes are hence being enhanced to facilitate the exchange of information in order to ensure confidentiality of information kept and shared. This includes the registration/updating and administration of authorised officers' database kept by the FIC.
6. Against this background, kindly ensure that the first set of documents listed below are submitted to the FIC before the end of October 2017, including the confirmation and verification of all authorised officers failing which, existing authorised officers appointments will be withdrawn:
 - 6.1 Attached please find a list of all current appointments of authorised officers (defined in section 1 of FICA) in your agency and kindly consider if your agency would require any changes to these appointments and ensure updating of records. The current appointments of authorised officers in your agency are required to provide the following information to FIC:
 - 6.1.1 The official FIC appointment letter approved by the competent authority (copy attached);
 - 6.1.2 A copy of the authorised officer's appointment letter or certificate; and
 - 6.1.3 A copy of the authorised officer's identification document.

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- 6.2 The confirmation and verification of authorised officers will be regularised biannually and your agency is expected to submit the information referred to in paragraph 6.1 by the end of October and April of each year as a recurring practice.
- 6.3 The FIC recommends that your agency designates a nodal point or person who will facilitate the registering, updating and deregistering of authorised officers, in order to streamline the process. It is important to note that you also consider the authorised officers situated at provincial offices.
- 6.4 All required information needs to be submitted to the following email address: MAA.Requests@fic.gov.za by **31 October 2017**.
- 6.5 All requests for the appointment of new authorised officers needs to be supplemented with the documents listed in paragraph 6.1.
7. The FIC is developing and customising electronic solutions to disseminate intelligence reports. The registration and necessary training to use these solutions will be communicated soon.
8. The FIC takes pride in delivering service and providing products of high quality. In pursuance of continuous improvement we will implement an electronic solution for authorised officers to evaluate the value of financial intelligence disseminated. The failure to provide this compulsory feedback on the utilisation of financial intelligence may lead to the withdrawal of the appointment of an authorised officer.
9. To improve the utilisation of financial intelligence the FIC will embark on a process to ensure that all current and new authorised officers will receive training regarding the accessing and using of financial intelligence.

10. Kindly acknowledge receipt of this correspondence by email to MAA.Requests@fic.gov.za.

Yours Sincerely

C MALAN
ACTING EXECUTIVE MANAGER: MONITORING AND ANALYSIS

cc: **If relevant - The Principal detail**

Attached Documents:

- 1 FIC Authorised Officer application;**
- 2 FIC Request for information application;**
- 3 A list of all current appointments of Authorised Officers**