

RISK COMPLIANCE RETURN QUESTIONNAIRE



**DO NOT COMPLETE THIS FORM. ALL SUBMISSIONS MUST BE DONE ONLINE.
PLEASE ACCESS ONLINE FORM AT WWW.FIC.GOV.ZA**

Risk compliance return in terms of section 43A of the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) (FIC Act).

DETAILS OF INSTITUTION	
Full registered or legal name	
Business address	
Contact number	
E-mail address	
Institution's representative(s)	
ORG ID number	
Sector	
Institution type	
Location	

ABOUT THE INSTITUTION	
Structure of the institution. Please mark with a "X"	
<input type="checkbox"/> Public company	<input type="checkbox"/> Private company
<input type="checkbox"/> Sole proprietor	<input type="checkbox"/> Partnership
<input type="checkbox"/> Close corporation	<input type="checkbox"/> Other specify

List the institution's products or services	
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Annual turnover for the last financial year	
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Does any senior manager or beneficial owner of the institution have criminal charges?	
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Number of employees	
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DECLARATION

Click or tap here to enter text. declares that the information contained in this return questionnaire is, to the best of our knowledge, comprehensive and correct, and that it will promptly file any needed supplemental information.

I, Click or tap here to enter text. of the abovementioned institution do hereby certify that this declaration was read and understood, that the information provided in this return is accurate and complete, and that I am duly authorised to execute this declaration on behalf of the abovementioned institution.

SIGNATURE

DATE

Please select the correct answers from the drop-down options.

Questions	Select correct option	Selection Criteria
1. CLIENTS RISK		
1.1. What percentage of your clients are natural persons?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.2. What percentage of your natural clients, are foreign nationals?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.3. What percentage of your clients are domestic legal persons?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.4. What percentage of your clients are trusts?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.5. What percentage of your clients are partnerships?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.6. What percentage of your clients are foreign legal persons?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.7. What percentage of your clients are identified as high-risk domestic politically exposed person or their immediate family members or known close associates?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.8. What percentage of your clients are identified as foreign politically exposed persons, their immediate family members or known close associates?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%

Questions	Select correct option	Selection Criteria
1.9. What percentage of your clients are identified as prominent influential persons, their close family members or known close associates?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.10. What percentage of your clients are non-profit organisations or non-government organisations?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.11. What percentage of your clients who are non-profit organisations or non-governmental organisations are high risk?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.12. Have you conducted business with clients that are trusts, companies or partnerships during this reporting period?	Choose an item.	Yes No
1.13. Did you know the ultimate beneficial owner (natural person) of you're your clients?	Choose an item.	Yes No
1.14. How many transactions did your institution enter into with clients that are:		
a) Trusts	Choose an item.	0 1 – 10 11 – 20 > 20
b) Companies	Choose an item.	0 1 – 10 11 – 20 > 20
c) Partnerships	Choose an item.	0 1 – 10 11 – 20 > 20
1.15. How many transactions did your institution enter into with client that are foreign:		
a) Trusts	Choose an item.	0 1 – 10 11 – 20 > 20
b) Companies	Choose an item.	0 1 – 10 11 – 20 > 20
c) Partnerships	Choose an item.	0 1 – 10 11 – 20 > 20
1.16. What was the average turnover value per annum of your clients:		
a) Trusts	Choose an item.	Not applicable < R1 million R1 million - R5 million > R5 million
b) Companies	Choose an item.	Not applicable < R1 million R1 million - R5 million > R5 million
c) Partnerships	Choose an item.	Not applicable < R1 million R1 million - R5 million

Questions	Select correct option	Selection Criteria
		> R5 million
1.17. What percentage of the clients concluded transactions that, in your opinion, did not have any commercial purpose, appeared unusual or did not correspond with the client's profile?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
1.18. Over the period, has your entity had clients who attempted to conceal their identity?	Choose an item.	Yes No
1.19. Have any clients ceased their relationship with your entity after a request for KYC documentation?	Choose an item.	Yes No
2. TRANSACTION RISKS		
2.1 Have any administrative sanctions for AML/ CFT/CPF related deficiencies been imposed on your entity by any competent authority/supervisor/agency/body for this reporting period?	Choose an item.	Yes No
2.2 What percentage of client transactions was concluded in cash you're your institution for the reporting period?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
2.3 What percentage of transactions involved persons acting on behalf of clients?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
2.4 Has your institution been involved in any cancelled transactions where monies, already paid, was refunded to clients?	Choose an item.	Yes No
2.5 What percentage of cross-border client transactions were concluded by your institution?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
2.6 In instances where your institution was party to a transaction, what percentage of transactions did not seem to have commercial purpose, appeared unusual or involved prices that were not market related?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
3. DISTRIBUTION CHANNEL RISK		
3.1 What percentage of clients were onboarded non face-to-face?	Choose an item.	0% - 20% 21% - 40% 41% - 60% 61% - 80% 81% - 100%
3.2 Does your institution make use of third-party for the introduction of new clients?	Choose an item.	Yes No
3.3 If yes to the previous question, does your institution take steps to verify the identity and the legitimacy of such third party?	Choose an item.	Yes No
3.4 Does your institution conduct employee screening to determine ML/TF/PF risks?	Choose an item.	Yes No
4. PRODUCT AND SERVICE RISK		
4.1 Do you "risk rate" your products and services when introducing new products and services?	Choose an item.	Yes No Sometimes
5. GEOGRAPHIC RISK		
5.1 Is your institution situated within 200km of an international border?	Choose an item.	Yes No

Questions	Select correct option	Selection Criteria
5.2 Does your institution conduct business with clients outside of your geographic location?	Choose an item.	Yes No
5.3 Does your institution conduct business with clients from countries regarded as high-risk for money-laundering, terrorist financing and proliferation financing purposes?	Choose an item.	Yes No
5.4 Does your institution conduct business with clients from countries regarded as tax havens or high-secrecy jurisdictions?	Choose an item.	Yes No
5.5 Does your institution conduct business with clients from countries regarded as jurisdictions with a high crime rate?	Choose an item.	Yes No
5.6 Does your institution conduct business with clients from countries on the Financial Action Task Force blacklist?	Choose an item.	Yes No
5.7 When conducting business with foreign clients does your institution take steps to assess the money laundering, terrorist financing, proliferation financing risks associated with the jurisdiction from which such clients conduct their business?	Choose an item.	Yes No
6. TERRORIST FINANCING RISKS		
6.1 Does your institution conduct business with clients that are subject to United Nations targeted financial sanctions, as envisaged in section 26A of the FIC Act?	Choose an item.	Yes No
6.2 Does your institution conduct business with non-profit organisations and/or non-governmental organisations?	Choose an item.	Yes No
6.3 If yes to the previous question, does your institution take steps to understand the nature and purpose of such institutions?	Choose an item.	Yes No
7. COMPLIANCE: REGISTRATION AND RMCP		
7.1 Does your institution have a risk management and compliance programme (RMCP) in place?	Choose an item.	Yes No
7.2 Does your institution have branches?	Choose an item.	Yes No
7.3 If yes to the previous question, are these branches registered with the FIC?	Choose an item.	Yes No
7.4 Does your institution operate on a central reporting basis or does each branch report directly to the FIC?	Choose an item.	Yes No
7.5 Is your institution's registration information up to date with the FIC in terms of Directive 4?	Choose an item.	Yes No
8. GOVERNANCE OF ANTI-MONEY LAUNDERING, COUNTER TERRORIST FINANCING AND COUNTER PROLIFERATION FINANCING COMPLIANCE		
8.1 Institution which is a legal person:		
a) Does your institution have a board of directors or senior management structure?	Choose an item.	BoD SM
b) Does your institution have a compliance function?	Choose an item.	Yes No
c) Has your board of directors or the senior management formally appointed your institution's compliance function?	Choose an item.	Yes No
d) Has your institution ever undergone an inspection regarding the FIC's or any other regulatory body's money laundering, terrorist financing and proliferation financing controls?	Choose an item.	Yes No
9. TRAINING RELATING TO ANTI-MONEY LAUNDERING, COUNTER TERRORIST FINANCING AND COUNTER PROLIFERATION FINANCING COMPLIANCE		
9.1 Are new employees in your institution allowed to deal with the clients or prospective clients prior to receiving training on the FIC Act?	Choose an item.	Yes No
9.2 Does your institution provide ongoing training to its employees to enable them to comply with the FIC Act and the RMCP?	Choose an item.	Yes No
9.3 Does the institution have procedures in place for training new employees on the FIC Act?	Choose an item.	Yes No
9.4 Does your institution have a training manual and/or training register?	Choose an item.	Yes No

Questions	Select correct option	Selection Criteria
9.5 Does your institution evaluate staff members after training?	Choose an item.	Yes No
9.6 Does your institution have a training plan and keep an attendance register for training?	Choose an item.	Yes No
10. RISK MANAGEMENT AND COMPLIANCE PROGRAMME (RMCP)		
10.1 Was your RMCP approved by the board of directors, where there is no board of directors was it approved by senior management?	Choose an item.	Yes No
10.2 Is your RMCP made available to all employees?	Choose an item.	Yes No
10.3 Is your institution's RMCP reviewed on determined timelines?	Choose an item.	Yes No
10.4 Does your RMCP include processes for implementation of the RMCP?	Choose an item.	Yes No
10.5 Is the RMCP implemented in your institution's branches, subsidiaries and other operations of the institution in foreign countries?	Choose an item.	Yes No
10.6 Has the institution conducted a business risk assessment?	Choose an item.	Yes No
a) Identifies	Choose an item.	Yes No
b) Assesses	Choose an item.	Yes No
c) Monitors	Choose an item.	Yes No
10.7 Does the institution conduct client risk assessments?	Choose an item.	Yes No
10.8 Does your RMCP include how your institution identifies, assesses, monitors, mitigates, manages the risk that their products / services offered may involve or facilitate money laundering, terrorist financing or proliferation financing activities? Select the relevant answer below:		
a) Identifies	Choose an item.	Yes No
b) Assesses	Choose an item.	Yes No
c) Monitors	Choose an item.	Yes No
d) Mitigates	Choose an item.	Yes No
e) Manages	Choose an item.	Yes No
10.9 Does your RMCP outline how your institution ensures that it does not establish a business relationship or conclude a single transaction with an anonymous client or a client with an apparent false or fictitious name?	Choose an item.	Yes No
10.10 Does your RMCP outline how your institution determines if a person is:		
a) A prospective client in the process of establishing a business relationship or conducting a single transaction?	Choose an item.	Yes No
b) A client who has established a business relationship or is conducting a single transaction?	Choose an item.	Yes No
10.11 Does your RMCP outline how your institution establishes and verifies the identity of clients?	Choose an item.	Yes No
10.12 Does your RMCP outline how your institution will confirm information relating to a client when there are doubts about the veracity of previously obtained information?	Choose an item.	Yes No
10.13 Does your RMCP outline how your institution determines whether a prospective client is a foreign politically exposed person, a domestic politically exposed persons or prominent influential person?	Choose an item.	Yes No

Questions	Select correct option	Selection Criteria
10.14 Does your RMCP outline how your institution enhanced due diligence is conducted for higher-risk business relationships and when simplified customer due diligence (CDD) might be permitted?	Choose an item.	Yes No
10.15 Does your RMCP outline how your institution conducts additional due diligence measures in respect of clients that are either natural persons, legal persons, trusts and partnerships?	Choose an item.	Yes No
10.16 Does your RMCP outline how your institution determines whether future transactions are consistent with your institution's knowledge of a prospective client?	Choose an item.	Yes No
10.17 Does your RMCP outline how your institution conducts ongoing due diligence and account monitoring in respect of business relationships?	Choose an item.	Yes No
10.18 Does your RMCP outline the steps the institution would take to avoid tipping off the client through conducting ongoing due diligence?	Choose an item.	Yes No
10.19 Does your RMCP outline how your institution will terminate an existing business relationship as contemplated in section 21E?	Choose an item.	Yes No
10.20 Does your RMCP provide the way and place at which records are kept?	Choose an item.	Yes No
10.21 Does your RMCP enable your institution to determine when a transaction or activity is reportable to the FIC?	Choose an item.	Yes No
10.22 Does your RMCP outline how your institution will perform customer due diligence when it suspects that a transaction or activity is suspicious or unusual?	Choose an item.	Yes No
10.23 Does your RMCP outline how your institution examines:		
a) Complex and unusual large transactions?	Choose an item.	Yes No
b) Unusual patterns of transactions which have no apparent business or lawful purpose?	Choose an item.	Yes No
c) The manner in which the institution keeps written findings relating to these transactions?	Choose an item.	Yes No
10.24 Does your RMCP provide for the processes for reporting information to the FIC?	Choose an item.	Yes No
10.25 Does your RMCP consider industry specific risks, which would apply to your specific entity, or is a more generic approach taken?	Choose an item.	Yes No
10.26 Was your RMCP based on a risk-based assessment, or how were the risks determined?	Choose an item.	Yes No
11. CUSTOMER DUE DILIGENCE		
11.1 Anonymous clients and clients acting under false or fictitious names		
a) Does your institution have anonymous clients or clients with an apparent false or fictitious name?	Choose an item.	Yes No
b) Does your institution ensure that it does not establish a business relationship or conclude a single transaction with an anonymous client or client with an apparent false or fictitious name?	Choose an item.	Yes No
11.2 Identification of clients and other persons. When a client is acting on behalf of others and when others are acting on behalf of a client		
a) Does your institution have processes and procedures for the identification and verification of clients?	Choose an item.	Yes No
11.3 Foreign politically exposed persons, family members and known close associates		
a) Does your institution have processes and procedures in place to establish if a prospective client or the beneficial owner of the prospective client in a business relationship is a:		
• Foreign politically exposed person?	Choose an item.	Yes No
• Family member or known close associate of the foreign politically exposed person?	Choose an item.	Yes N

Questions	Select correct option	Selection Criteria
b) Does your institution have a process and procedure in place if an established client or beneficial owner informs the institution that they have become a foreign politically exposed person, when they were not previously?	Choose an item.	Yes No
c) Does your institution have a process and procedure in place to establish if a prospective client is a family member or known close associate of the foreign politically exposed person where the person was not determined as such previously?	Choose an item.	Yes No
11.4 Domestic politically exposed persons, family members and known close associates		
a) Does your institution establish if a prospective client or the beneficial owner of the prospective client in a business relationship is a:		
<ul style="list-style-type: none"> Domestic politically exposed person 	Choose an item.	Yes No
<ul style="list-style-type: none"> Family member or known close associate of the domestic politically exposed person 	Choose an item.	Yes No
b) Does your institution have a process and procedure in place if an already established client or beneficial owner informs your institution that they have become a domestic politically exposed person, when they were not previously?	Choose an item.	Yes No
c) Does your institution have a process and procedure in place if a family member or known close associate informs your institution that they have become a domestic politically exposed person, when they were not previously?	Choose an item.	Yes No
Prominent influential persons, family members and known close associates		
Does your institution establish if a prospective client or the beneficial owner of the prospective client in a business relationship is a:		
d) Prominent influential person	Choose an item.	Yes No
e) Family member or known close associate of the prominent influential person	Choose an item.	Yes No
f) Does your institution have a process and procedure in place if an already established client or beneficial owner informs your institution that they have become a prominent influential person, when they were not previously?	Choose an item.	Yes No
g) Does your institution have a process and procedure in place if a family member or known close associate informs your institution that they have become a prominent influential person, when they were not previously?	Choose an item.	Yes No
11.5 Understanding and obtaining information on business relationship		
a) Does your institution establish the:		
<ul style="list-style-type: none"> Nature of the business relationship? 	Choose an item.	Yes No
<ul style="list-style-type: none"> Intended purpose of the business relationship? 	Choose an item.	Yes No
<ul style="list-style-type: none"> Source of funds? 	Choose an item.	Yes No
11.6 Additional due diligence measures relating to legal persons, trusts, and partnerships		
a) When the client is a legal or natural person that is acting on behalf of a partnership, trust, or similar arrangements between natural persons, does the institution establish the:		
<ul style="list-style-type: none"> Nature of the client's business? 	Choose an item.	Yes No
<ul style="list-style-type: none"> Ownership and control structure of the client? 	Choose an item.	Yes No
b) Does your institution establish the identity of the ultimate beneficial owner/s of the client?	Choose an item.	Yes No

Questions	Select correct option	Selection Criteria
c) When the client is a natural person acting on behalf of a partnership, does the institution take steps to identify and verify the partners and persons exercising executive control over the partnership?	Choose an item.	Yes No
d) Does your institution establish the identity of the natural person who directly or indirectly ultimately owns the relevant trust property (where the client is a trust)	Choose an item.	Yes No
e) Does your institution establish the identity of the natural person who exercises effective control of the administration of the trust arrangements that are established pursuant to a trust instrument; (where the client is a trust)	Choose an item.	Yes No
f) Does your institution establish the identity of each founder of the trust (where the client is a trust)	Choose an item.	Yes No
g) Does your institution establish the identity of the founder of the trust is a legal person, a person acting on behalf of a partnership or in pursuance of the provisions of a trust instrument, the natural person who directly or indirectly ultimately owns or exercises effective control of that legal person or partnership or the relevant trust property or trust arrangements pursuant to that trust instrument (where the client is a trust)	Choose an item.	Yes No
h) Does your institution establish the identity of each trustee of the trust	Choose an item.	Yes No
i) Does your institution establish the identity of a trustee of the trust is a legal person or a person acting on behalf of a partnership, the natural person who directly or indirectly ultimately owns or exercises effective control of that legal person or partnership	Choose an item.	Yes No
j) Does your institution establish the identity of the each beneficiary referred to by name in the trust instrument or other founding instrument in terms of which the trust is created	Choose an item.	Yes No
k) Does your institution establish the identity of the if a beneficiary referred to by name in the trust instrument is a legal person, a partnership or a person acting on behalf of a partnership or a person acting in pursuance of the provisions of a trust instrument, the natural person who directly or indirectly ultimately owns or exercises effective control of that legal person or partnership or the relevant trust property or trust arrangements pursuant to that trust instrument	Choose an item.	Yes No
11.7 Ongoing due diligence		
a) Does your institution monitor transactions undertaken throughout the course of the business relationship, including:		
<ul style="list-style-type: none"> Ascertaining the source of funds 	Choose an item.	Yes No
<ul style="list-style-type: none"> Background and purpose of complex, unusual large transactions 	Choose an item.	Yes No
<ul style="list-style-type: none"> Unusual patterns of transactions which have no apparent business or lawful purpose 	Choose an item.	Yes No
b) Does your institution keep CIV documents up to date?	Choose an item.	Yes No
c) Does your institution stop ongoing due diligence where the continuation thereof may tip the client off?	Choose an item.	Yes No
11.8 Doubts about veracity of previously obtained information		
a) Does your institution take additional steps when it has doubts about the veracity or adequacy of previously obtained information?	Choose an item.	Yes No
11.9 Inability to conduct customer due diligence		
a) Does your financial institution fail to conduct CDD?	Choose an item.	Yes No

Questions	Select correct option	Selection Criteria
b) Does your institution file regulatory reports with the FIC under section 29 of the FIC Act if unable to conduct customer due diligence?	Choose an item.	Yes No
12. DUTY TO KEEP RECORDS		
12.1 Does your institution keep records on clients?	Choose an item.	Yes No
12.2 Does your institution keep records of client information?	Choose an item.	Yes No
12.3 Does your institution keep records of transactions?	Choose an item.	Yes No
12.4 Does your institution keep client records for five years after the termination of a business relationship?	Choose an item.	Yes No
12.5 Does your institution use a third party to keep client records?	Choose an item.	Yes No
12.6 If yes to the previous question, does your institution have sufficient information about the third party and does the third party:		
a) Have free and unencumbered access to the relevant records	Choose an item.	Yes No
b) Are the records kept by the third party readily accessible to the FIC and/or the relevant supervisory body when required	Choose an item.	Yes No
c) Are the records capable of being reproduced in a legible format	Choose an item.	Yes No
d) Have the full name, if the third party is a natural person or the registered name, if the third party is a close corporation or company?	Choose an item.	Yes No
e) Have the name under which the third-party conducts business?	Choose an item.	Yes No
f) Have the full name and contact particulars of the individual who exercises control over access to those records?	Choose an item.	Yes No
g) Have the address where the records are kept?	Choose an item.	Yes No
h) Have the address from where the third-party exercises control over the records?	Choose an item.	Yes No
i) Have the full name and contact particulars of the individual who liaises with the third party on behalf of the accountable institution concerning the retention of the records?	Choose an item.	Yes No
13. CASH THRESHOLD REPORTS		
13.1. Is your institution aware of:		
a) The cash threshold amount?	Choose an item.	Yes No
b) Dual reporting?	Choose an item.	Yes No
c) Reporting period?	Choose an item.	Yes No
13.2. Does your institution receive cash at its premises?	Choose an item.	Yes No
13.3. Did your institution file section 28 reports for the reporting period?	Choose an item.	Yes No
14. TERRORIST PROPERTY AND FINANCIAL SANCTIONS REPORTS		
14.1 Does your institution screen its clients against the United Nations Security Council targeted financial sanctions list, as published on the FIC website?	Choose an item.	Yes No
14.2 Has your institution filed reports under section 28A i.e., terrorist property reports, during the financial year?	Choose an item.	Yes No
15. SUSPICIOUS TRANSACTION REPORTS		

Questions	Select correct option	Selection Criteria
15.1 Does your institution process the identification and reporting of suspicious and unusual transactions?	Choose an item.	Yes No
15.2 Does your institution have guidelines that would assist in the identification of suspicious and unusual transactions?	Choose an item.	Yes No
15.3 Are your institution's staff aware that they may not disclose information about the contents of a section 29 report or that such reports have been filed with the FIC?	Choose an item.	Yes No
15.4 Was your institution served with any subpoenas in terms of section 205 Consumer Protection Act, 2008 (Act 68 of 2008), received any enquiries or requests for information from the FIC, investigative authorities or other regulatory bodies in respect of any transaction concluded with a client?	Choose an item.	Yes No
15.5 Have any clients of your institution enquired as to whether your institution had reported them to the FIC?	Choose an item.	Yes No
16. FURNISHING OF ADDITIONAL INFORMATION TO THE FIC		
16.1 Does your institution have processes and procedures to deal with a section 32 request from the FIC?	Choose an item.	Yes No
17. PROTECTION OF PERSONS MAKING A REPORT		
17.1 Are your employees aware that they are protected if they file a report with the FIC in terms of section 28, 29 or 31?	Choose an item.	Yes No

THANK YOU FOR COMPLETING THIS RETURN QUESTIONNAIRE