

NO. [---]

FINANCIAL SECTOR CONDUCT AUTHORITY

FINANCIAL SECTOR REGULATION ACT, 2017
FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002

**AMENDMENT OF THE QUALIFICATION, EXPERIENCE AND CRITERIA FOR APPROVAL
AS COMPLIANCE OFFICER, 2021**

I, Unathi Kamlana, hereby, under section 17(2) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), promulgate amendments to the Notice on Qualifications, Experience and Criteria for the Approval as a Compliance Officer, 2010, in terms of section 106(1) of the Financial Sector Regulation Act, 2017 (Act No. 9 of 2017), and section 17(2) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), as set out in the Schedule hereto.

Unathi Kamlana
FOR THE FINANCIAL SECTOR CONDUCT AUTHORITY
Date of publication:

SCHEDULE

Interpretation

1. In this Schedule **“the Notice”** means the Notice on Qualifications, Experience and Criteria for the Approval as a Compliance Officer, 2010, as published by Board Notice 127 of 2010 in Government Gazette No. 33537 on 9 September 2010, and as amended by Board Notice 148 of 2016 in Government Gazette No. 40239 on 31 August 2016.

Amendment of paragraph 1 of the Notice

2. Paragraph 1 of the Notice is hereby amended by-
 - (a) the substitution for the definition “application form” of the following definition:

““application form” means form 6 and 12 of the Application by Financial Services Providers for Authorisation by the Financial Sector Conduct Authority, FSCA FAIS Notice 1 of 2018;”;
 - (b) deletion of the definition “Determination of Qualifying Criteria and Qualifications”;
 - (c) the substitution for the definition “Fit and Proper Requirements” of the following definition:

““Fit and Proper Requirements” means the Determination of Fit and Proper Requirements for Financial Services Providers, 2017, published by Board Notice 194 of 2017 in Government Gazette No. 41321 on 15 December 2017;”;
 - (d) the substitution for the definition “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 RE 1 regulatory examination developed in terms of the criteria set out in Table 1 of Annexure Five of the Fit and Proper Requirements;
 - (b) Category II or IIA FSP, means the –
 - (i) RE 1 regulatory examination developed in terms of the criteria set out in Table 1 of Annexure Five of the Fit and Proper Requirements; and
 - (ii) RE 3 regulatory examination developed in terms of the criteria set out in Table 2 of Annexure Five of the Fit and Proper Requirements;
 - (c) Category III FSP, means the-
 - (i) RE 1 regulatory examination developed in terms of the criteria set out in Table 1 of Annexure Five of the Fit and Proper Requirements; and
 - (ii) RE 4 regulatory examination developed in terms of the criteria set out in Table 3 of Annexure Five of the Fit and Proper Requirements;”.

Amendment of paragraph 7 of the Notice

3. Paragraph 7 of the Notice is hereby amended by-
 - (a) the amendment of item (a) of subparagraph (4) as follows:

“(a) in respect of non-unit standards based qualifications, the individual must have successfully completed a minimum of three subjects listed in Annexure 3[Table A], or subjects that are similar in subject matter to those so listed, and at least one of the subjects must be-”; and

(b) the deletion of “Table A” in subparagraph (4).

Amendment of Annexure 2 of the Notice

4. Annexure 2 of the Notice is hereby amended by the substitution of Annexure 2 of the list of recognised compliance qualifications attached to this Schedule.

Amendment after Annexure 2 of the Notice

5. The Notice is hereby amended by the insertion after Annexure 2 to the Schedule of the Notice of the following Annexure:

ANNEXURE 3		
APPROPRIATE SUBJECT LIST		
COMPLIANCE OFFICERS		
Accounting	Equity/ Equities	Mercantile Law
Advanced Investment Advice	Equity Investments	Micro-economics
Anti-money laundering laws and regulations	Equities Settlement	Money Laundering Control
Anti-terrorist finance laws and regulations	Estate and Trust Law	Money laundering schemes
Asset Classes & Basic Investment Principles	Estate Planning	Money Market
Auditing	Ethics	Money Market Settlement
Auditing and Internal Control	Finance	Network Administration
Authorisations and Approvals (Trading)	Finance for Non-Financial Managers	Operational Risk Management
Banking	Financial Accounting	Payment of Entitlement

ANNEXURE 3
APPROPRIATE SUBJECT LIST

COMPLIANCE OFFICERS

Banking Operations	Financial Advice	Performance and Risk Strategy
Basic Economic Principles	Financial Analysis	Personal Financial Planning
Behavioural Finance & Economics	Financial Calculations	Personal Insurance Products and Practice
Business Economics	Financial Crime	Portfolio Management
Bond and stock markets	Financial Crime Prevention	Practical Accounting Data Processing
Blockchain	Financial Engineering	Primary, secondary and wholesale markets
Bonds	Financial Governance	Principles of Crime Prevention, Reduction and Control
Bonds Settlement	Financial Management	Principles of Ethics in a Business Environment
Business Administration	Financial Market Operations	Principles of Insurance
Business Assurance	Financial Market Regulatory Environment	Principles of Life Insurance
Business Economics	Financial Markets	Principles of Strategy, Risk & Financial Management
Business Entities	Financial Operations	Principles of Taxation
Business Environment	Financial Planning	Process Management (Process Modelling and Control)
Business Ethics	Financial Planning Principles	Production Management
Business Finance	Financial Reporting	Prudential Requirements
Business Information Systems	Financial Services Industry	Quality Control in Call Centres

ANNEXURE 3
APPROPRIATE SUBJECT LIST

COMPLIANCE OFFICERS

Business Insurance	Financial Services Operations	Quantitative Finance
Business Integration	Financial Statements	Quantitative Techniques
Business Management	Forex Exposure Management	Quantitative Investment Analysis
Business Management & Financial Risk Assessment	Fraud Risk Management	Regulatory Environment
Business-To-Business Marketing	Fundamentals of Financial Services	Retirement Finance
Call Centre Management	General Management	Responsibilities of Financial Institutions
Capital Market Frameworks and Concepts	Global Business Environment	Responsibilities of the regulatory authorities
Claims Management	Governance, Risk and Compliance Management	Retirement Planning
Client/ Customer Services	Group Retirement Benefits	Retirement Related Legislation
Collateral Management	Health Benefits/ Health Care Benefits	Retirement Wealth Preservation
Collective Investment Scheme Product Solutions	Independent audits and reviews	Risk Financing
Commercial Insurance Products and Practice	Informatics	Risk Management
Commercial Law	Information Technology Architecture	Risk Management and Insurance
Companies Law	Information Technology Enterprise	Securities Markets
Complaints and Disputes	Investigation Methodology	Settlement (Finance)

ANNEXURE 3
APPROPRIATE SUBJECT LIST

COMPLIANCE OFFICERS

Compliance Function	Insurance	Small Business Management
Compliance Legislation	Insurance & Risk Management	South African Financial System
Compliance Management	Interest-Bearing Investment	STRATE
Compliance Principles	International Finance	Strategic Communication Management Skills
Computer Architecture	International Trade	Strategic Management
Conduct of Business (Regulation)	Interpretation of Statutes	Strategy
Corporate Finance	Introduction to The Financial Markets	Structured Systems Analysis and Design
Corporate Financial Planning	Introductory Financial Accounting	Supervision and Enforcement
Corporate Governance	Investment Management	Tax/ taxation
Corporate Law	Investment Planning	Techniques
Cost Accounting	Investor Psychology	The Bond Market
Cost and Financial Management	Law of Contract or Delict	The Derivatives Market
Costing and Estimating	Law of Succession	The Equity Market
Creation of Wealth	Legal Environment	The Regulation and Ethics of The South African Financial Markets
Credit Risk Management	Legislative Impact on Financial Advisors/ Planners	The South African Foreign Exchange Market
Crime Risk Perspectives	Long-Term Product Solutions	The South African Money Market

ANNEXURE 3		
APPROPRIATE SUBJECT LIST		
COMPLIANCE OFFICERS		
Crypto Banking	Management	Trading on the Exchange
Crypto Currency	Managing Client Assets	Treasury Management
Debt Instrument Solutions	Managing Regulatory Risk	Terrorist Sanctions
Descriptive Statistic and Probability	Marketing	Trustee management
E-Commerce in Business	Market Conduct	Wealth Creation
Econometrics	Market Risk Management	Wealth Management
Economic Crime Schemes	Mathematical Analysis	
Economics/ Macro Economics/ Micro Economics	Mathematical Statistics	
Employee Benefits	Mathematics	
Enterprise Risk Management	Mathematics for Finance and Business	
Entrepreneurship	Medical Schemes	

Repeal

- The Amendment Notice on the Determination of Recognised Qualifications for Financial Services Providers and Compliance Officers, 2017, published by Board Notice 51 of 2017 in Government Gazette No. 40785 on 13 April 2017 is hereby repealed.

Short title and commencement

- This Notice is called Amendment of the Qualification, Experience and Criteria for Approval as Compliance Officer, 2021, and comes into operation on date of publication.