

# ANNEXURE A

## ANTI-MONEY LAUNDERING RISK ASSESSMENT & FICA CHECKLIST

### IMPORTANT INFORMATION

RCIS has adopted the risk-based approach in terms of the Financial Intelligence Centre Act, No.38 of 2001 "FICA" and as part of its client identification and verification process. The Anti-Money Laundering Risk Assessment Form must therefore be completed for the on-boarding of each new client. This will determine the level of due diligence needed in respect of client identification.

SECTION 1	NATURAL PERSONS
SECTION 2	NATURAL PERSONS ACTING ON BEHALF OF COMPANIES AND CLOSE CORPORATIONS
SECTION 3	NATURAL PERSONS ACTING ON BEHALF OF PARTNERSHIPS
SECTION 4	NATURAL PERSONS ACTING ON BEHALF OF TRUSTS
SECTION 5	NATURAL PERSONS ACTING ON BEHALF OF OTHER LEGAL ENTITIES / RETIREMENT FUNDS

### FICA REQUIREMENTS

Please note: **All documentation submitted must be a clear copy of the original.**

### SECTION 1 | NATURAL PERSONS

1. What is your full name?

2. Are you a South African citizen or permanent resident of South Africa?  Yes  No If "No", kindly indicate your:

Citizenship:  Permanent Residence:

3. What is your profession?

4. Do you occupy or have you in the past 12 months occupied, any of the below positions?  Yes  No

If "Yes", please indicate that position that you occupy(ied):

"DPIP" means a **Domestic Prominent Influential Person**, being any person, or immediate family member or known close associate of a person, who holds or has held (including acting positions exceeding 6 months) at any time in the preceding 12 months prominent positions within the RSA and listed below.

- President or deputy president of South Africa;
- Cabinet minister or deputy minister;
- Premier of a province;
- Member of executive council of a province;
- Head, accounting officer/chief financial officer of a national or provincial department;
- Chairperson, chief executive officer, accounting authority, chief financial officer or chief investment officer of a public entity;
- Prominent judge in the Constitutional Court, Supreme Court of Appeal or the High Court or any equivalent court;
- Ambassador, high commissioner or senior representative of a foreign country who is based in South Africa;
- Person occupying any of the following positions, in a company that provides goods or services to the government and the annual transactional value of the goods or services or both exceeds an amount determined by the Minister by notice in the Gazette –
  - o Chairperson of the board of directors;
  - o Chairperson of audit committee;
  - o Executive officer; or
  - o Chief financial officer.
- Mayor of a municipality;
- Leader of a political party;
- Member of a royal family or a senior traditional leader;
- Manager or chief financial officer of a municipality;

"FPPO" means a **Foreign Prominent Public Official**, being a person, or immediate family member or known close associate of a person, who occupies, or within the past 12 (twelve) months occupied, any of the positions listed below, in a country other than South Africa.

- Head of state;
- Member of royal family;
- Member of cabinet or similar structure;
- Senior member or leader of a political party;
- Senior judicial officer;
- Senior executive of a state-owned entity; or
- High-ranking military officer.

5. If you indicated "Yes" to Question 4, please indicate your source of wealth:

6. Will you be concluding a single transaction (once-off only)  or more than one transaction,  over a certain period of time?

## SECTION 2 | NATURAL PERSONS ACTING ON BEHALF OF COMPANIES AND CLOSE CORPORATIONS

1. What is the company or close corporation's name?

2. Does the company or close corporation have a presence in South Africa? (i.e. assets, operations or business premises)  Yes  No

If "Yes", please provide details:

3. If the Client is a **Listed** public company, please indicate the stock exchange it is listed on:

4. Will you be concluding a single transaction (once-off only)  or more than one transaction,  over a certain period of time?

5. Please describe the company or close corporation's activities (ie. what industry it is in, what products / services it sells etc.)

6. What is the company or close corporation's ownership and control structure? Please attach a organogram showing the ownership and control structure of the entity.

*[Note: This question is about whether the Client is part of a fairly simple ownership structure in terms of which its assets are directly owned or controlled by an easily determinable number of natural persons (which will almost always be the case for a close corporation), or whether the Client is part of a more complex structure, in terms of which it is not as easy to determine the natural persons who directly own and control the Client's assets.]*

7. Who are the ultimate beneficial owners of the company or close corporation?

*Please fill in this row based on the available information and considerations of practicality, choosing the most suitable of the 3 given methods of identifying the natural persons who benefit from the assets and income of the company.]*

### METHOD 1

Names of ultimate natural persons who individually or collectively own a majority (25%) of the company's shares or close corporation's members' interests.

### METHOD 2

Names of ultimate natural persons who individually or collectively control the company or close corporation (i.e. have a material influence on the company or close corporation's operations)

### METHOD 3

Names of company or close corporation's executive managers.

*[Note: For a close corporation, the ultimate beneficial owners are the members of the close corporation who, individually or acting together, own 25% of the members' interests, and who are almost always natural persons. For a company, the ultimate beneficial owners or controllers are the natural persons who, individually or acting together, ultimately own 25% or more of the shares of the company, or otherwise control the company (for instance through a shareholders agreement). For example, if Company A (a Client of the RCIS) is 25% owned by Company B, and Company B is in turn 100% owned by John Smith, then John Smith is the ultimate beneficial owner of Company A, even though he is not the legal owner of the 25% stake in Company A.]*

## SECTION 3 | NATURAL PERSONS ACTING ON BEHALF OF PARTNERSHIPS

1. What is the identifying name of the partnership?

2. Does the partnership have a presence in South Africa? (i.e. assets, operations or business premises)  Yes  No

If "Yes", please provide details:

3. Will you be concluding a single transaction (once-off only)  or more than one transaction,  over a certain period of time?

4. Please describe the partnership's activities (i.e. what industry it is in, what products/services it sells etc.)

5. If the partnership is a professional partnership (i.e. all the partners are public accountants or auditors, attorneys, pharmacists, medical doctors or other professionals, engineers, architects or engineers), then who are the executive partners that control the day-to-day operations of the partnership?

6. What is the partnership's ownership and control structure (are the partners all natural persons, all companies, or a mixture of the two?)

7. What are the names of the partners (including silent partners and partners en commandite, i.e. partners that do not necessarily involve themselves in the day-to-day running of the partnership, and who are not known to the general public as partners in the partnership)?

8. Of the partners just listed, who of them are in executive control of the partnership (i.e. which of the listed partners run the partnership on a day-to-day basis)?

## SECTION 4 | NATURAL PERSONS ACTING ON BEHALF OF TRUSTS

1. What is the identifying name of the Trust?

2. Does the trust have a presence in South Africa? (i.e. assets, operations or business premises)  Yes  No

If "Yes", please provide details:

3. Will you be concluding a single transaction (once-off only)  or more than one transaction,  over a certain period of time?

4. Please describe the trust's purpose (i.e. why the trust was created or what industry it is in, what products / services it sells etc.)

5. Which Master of the High Court administers the trust?

6. What is the full name of the person who created the trust?

7. What are the full names of the trustees?

8. Who are the named beneficiaries of the trust? Or, If there are no named beneficiaries, how are the beneficiaries determined?

## SECTION 5 | NATURAL PERSONS ACTING ON BEHALF OF OTHER LEGAL ENTITIES / RETIREMENT FUNDS

1. What is the identifying name of the Legal Entity/Fund?

2. Does the Legal Entity/Fund have a presence in South Africa? (i.e. assets, operations or business premises)  Yes  No

If "Yes", please provide details:

3. Will you be concluding a single transaction (once-off only)  or more than one transaction,  over a certain period of time?

4. Please describe the Legal Entity/Fund's purpose (i.e. why the Legal Entity/Fund was created or what industry it is in, what products/ services it sells etc.)

5. What is the Legal Entity/Fund's ownership and control structure? Please attach a organogram showing the ownership and control structure of the entity.

*[Note: This question is about whether the Client is part of a fairly simple ownership structure in terms of which its assets are directly owned or controlled by an easily determinable number of natural persons (which will almost always be the case for a close corporation), or whether the Client is part of a more complex structure, in terms of which it is not as easy to determine the natural persons who directly own and control the Client's assets.]*

# ANNEXURE A

## FICA REQUIREMENTS

### IMPORTANT INFORMATION

In terms of the Financial Intelligence Centre Act No. 38 of 2001 ("FICA"), RCIS is required to identify and verify the identity of the Client before entering into a financial transaction with the Client. Details of the information and documentation required from Clients are set out below.

Please note: **All documentation submitted must be clear copies of the original and RCIS may be required to request clear copies if necessary.**

## SECTION 1 | NATURAL PERSON

### 1.1 | SA CITIZEN/RESIDENT

- Copy of a SA bar-coded ID document or a copy of a SA Smart Card\* ID document issued by the Department of Home Affairs  
\* If a Smart Card is used as an identification document, please ensure that we receive a clear copy of the back and the front of the Smart Card  
**Important: If your SA bar-coded ID document is not available, please provide us with a copy of either a SA passport, SA driver's license or SA temporary ID document along with a letter explaining why the SA bar-coded ID document is not available.**
- Proof of residential address (not older than 3 months)
- Proof of bank account details (on a bank letterhead, not older than 3 months).

### 1.2 | FOREIGN NATIONALS

- Copy of a valid passport containing a photo, full names, identity number and date of birth
- Proof of residential address (not older than 3 months)
- Proof of bank account details (on a bank letterhead, not older than 3 months).

### 1.3 | PERSONS ACTING ON BEHALF OF THE INVESTOR

- Documentary requirements as set out in 1.1 and 1.2 above in respect of both parties
- Proof of residential address (not older than 3 months) in respect of the representative individual
- Proof of authority to act (e.g. power of attorney, mandate, resolution or court order)

## SECTION 2 | LEGAL ENTITY

### 2.1 | SA COMPANIES (UNLISTED)

- Certificate of Incorporation (CM1 or CoR15.1/CoR14.3) containing the Registrar's stamp
- Certificate of change of name (CM9 or CoR15.2), (if applicable)
- List of Directors (CM29 or CoR39)
- Notice of registered address (CM22 or CoR21.1 or CoR14.3)
- Proof of business address (not older than 3 months) **\*Must be certified**
- Proof of authority to act for the company (e.g. director's resolution and/or authorised signatory list including specimen signatures) **\*Must be certified**
- Proof of bank account details (on a bank letterhead, not older than 3 months).

For authorised signatories, representatives, chief executive officer, managing director, shareholders, any entity or natural person holding 25% or more of the voting rights:

- For natural persons: Copies of ID documents and completed **Annexure B**
- Companies holding 25% or more of the voting rights: **CM1 or CoR15.1/CoR14.3**. For foreign companies, the foreign country equivalent of these company documents and completed **Annexure B**
- Close Corporations holding 25% or more of the voting rights: **CK1/CK2** and completed **Annexure B**
- Partnerships holding 25% or more of the voting rights: Partnership agreement and completed **Annexure B**
- Trusts holding 25% or more of the voting rights: Trust Deed or other founding document and completed **Annexure B**
- Other Legal entities holding 25% or more of the voting rights: Founding document or constitution and completed **Annexure B**

## 2.2 | CLOSE CORPORATIONS

- Founding Statement and Certificate of Incorporation (CK1) and/or Amending Founding Statement (CK2) containing the Registrar's stamp
- Proof of business address (not older than 3 months) **\*Must be certified**
- Proof of authority to act for the Close Corporation (e.g. members resolution and/or authorised signatory list including specimen signatures.) **\*Must be certified**
- Copies of ID documents of each authorised signatory, representative, all members and each individual, or each legal entity holding 25% or more of the voting rights.
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)
- Proof of bank account details (on a bank letterhead, not older than 3 months).

## 2.3 | FOREIGN COMPANIES (UNLISTED)

- Certificate of Incorporation or foreign equivalent reflecting registered name and registration number of the company
- Proof of business address (not older than 3 months) **\*Must be certified**
- Proof of authority to act for the company (e.g. director's resolution and/or authorised signatory list including specimen signatures) **\*Must be certified**
- Copies of ID documents of each authorised signatory, representative, chief executive officer, managing director and each individual, or each legal entity holding 25% or more of the voting rights.
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)
- Proof of bank account details (on a bank letterhead, not older than 3 months).

## 2.4 | PARTNERSHIPS

- Partnership agreement
- Proof of business address (not older than 3 months) **\*Must be certified**
- Proof of authority to act for the partnership (e.g. resolution and/ or authorised signatory list including specimen signatures) **\*Must be certified**
- Copies of ID documents for each partner\* and each authorised signatory/representative or persons exercising executive control  
*\*If a company is a Partner, we require all company FICA documents in addition to the above requirements.*
- Proof of residential address (not older than 3 months) in respect of each Partner, each authorised signatory and each person exercising control over the Partnership
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)
- Proof of bank account details (on a bank letterhead, not older than 3 months).

## 2.5 | TRUSTS

- Copy of the Trust Deed
- Copy of the Letter of Authority issued by the Master of the High Court
- Proof of authority to act for the trust (e.g. resolution and/or authorised signatory list including specimen signatures) **\*Must be certified**
- Copies of ID documents for each authorised signatory, representative and each identifiable beneficiary in the Trust Deed, Founder and each Trustee  
*\*If a company has been appointed as a Trustee, we require all company FICA documents in addition to the above requirements. We also require a resolution appointing the authorised signatory who will act on the Trustee's behalf as well as a copy of the authorised signatory's ID document.*
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)
- Proof of bank account details (on a bank letterhead, not older than 3 months).

## 2.6 | RETIREMENT FUNDS

- Registration certificate from the FSCA Registrar of Pension Funds
- Proof of authority to act for the fund (e.g. resolution and/or authorised signatory list including specimen signatures) **\*Must be certified**
- Copies of ID documents of each authorised signatory/representative.
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)

## 2.7 | ESTATE LATE

- Death certificate of deceased investor **\*Must be certified**
- Copy of ID document of the Executor\*  
*\*If a company has been appointed as the Executor, we require all company FICA documents in addition to the above requirement. We also require a resolution appointing the authorised signatory who will act on the Executor's behalf as well as a copy of the authorised signatory's ID document*
- Letter of Executorship **\*Must be certified**

## 2.8 | OTHER LEGAL ENTITIES (E.G. NON-PROFIT ORGANISATION, BODY CORPORATE)

- Constitution or founding document
- Proof of business address (not older than 3 months) **\*Must be certified**
- Proof of authority to act for the entity (e.g. resolution and/or authorised signatory list including specimen signatures) **\*Must be certified**
- Copy of ID document of each authorised signatory/representative
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)

## 2.9 | OTHER LEGAL ENTITIES (COLLECTIVE INVESTMENT SCHEMES)

- Certificate of Registration of Trustee issued by the FSCA and bearing the stamp of the FSCA
  - Certificate of Registration of Manager issued by the FSCA and bearing the stamp of the FSCA
  - Deed establishing the collective investment scheme and under which the Portfolio(s) are created by means of the supplemental deed(s) **\*Must be certified**
  - Supplemental Deed(s) bearing the stamp of the registrar, for the Portfolio(s) **\*Must be certified**
  - Company documents for the Management Company of the Collective Investment Scheme:
    - CM1 or COR 14.3 and CM9 (where applicable), bearing the stamp of the Registrar of companies and signed by company secretary or otherwise documentary proof of the legal existence of the foreign company
    - CM29/COR39
- OR instead of the above options, the Official CIPC certificate for South Africa companies as proof of trade name, registered address and company directors.
- Proof of business address (not older than 3 months) **\*Must be certified**
  - Proof of authority to act for the company (e.g. director's resolution and/or authorised signatory list including specimen signatures) **\*Must be certified**
  - Copies of ID documents of each authorised signatories, representatives, chief executive officer, managing director, shareholders, any entity or natural person holding 25% or more of the voting rights.
  - Companies holding 25% or more of the voting rights: CM1 or CoR15.1/CoR14.3. For foreign companies, the foreign country equivalent of these company documents.
  - Close Corporations holding 25% or more of the voting rights: CK1/CK2
  - Partnerships holding 25% or more of the voting rights: Partnership agreement
  - Trusts holding 25% or more of the voting rights: Trust Deed or other founding document
  - Other Legal entities holding 25% or more of the voting rights: Founding document or constitution
  - Completed Annexure B (a separate Annexure B must be completed for all categories of persons)
  - Proof of bank account details (on a bank letterhead, not older than 3 months).
  - If the investment manager is signing documents on behalf of the Portfolio(s), please provide the Investment Management Agreement.

## 2.10 | LISTED COMPANY

- Proof of listing on relevant securities exchange.
- Proof of business address (not older than 3 months) **\*Must be certified**
- Proof of authority to act for the company (e.g. director's resolution and/or authorised signatory list including specimen signatures)
- Copies of ID documents of each authorised signatory/representative and the chief executive officer/managing director.
- Completed Annexure B (a separate Annexure B must be completed for all categories of persons)