



**FIC Circular to stakeholders on terror reporting.
050518**

To whom it may concern

As many of you are aware, new reporting requirements in terms of the new terrorism legislation, the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 33 of 2004 ("the POCDATARA"), will come into operation on Friday, 20 May 2005.

The POCDATARA makes certain amendments to the Financial Intelligence Centre Act 38 of 2001 (FICA).

The POCDATARA has amended section 29 of FICA to extend the reporting of suspicious and unusual transactions to also cover "**property which is connected to an offence relating to the financing of terrorist and related activities.**" This report must be made to the Financial Intelligence Centre (FIC).

In essence, the POCDATARA changes the reporting requirements in terms of suspicious transaction reports, as well as the reporting form.

The POCDATARA has also by amendment introduced a new Section 28A of FICA which requires the reporting of any property that is associated with terrorist and related activities to the FIC.

Please note that the reporting forms for Section 28A and Section 29 that correspond with Regulations that will come into operation on Friday 20 May

2005, will not form part of these Regulations. This means that they will not be published in the Gazette on the Regulations on 20 May 2005. Attached to this notice are the new reporting forms that should be circulated to all relevant staff and affected parties.

Please find attached to this notice, the following:

- A copy of the new legislation (the POCDATARA)
- The amended Money Laundering Control Regulations that will be gazetted on 20 May 2005;
- The TPR (Terrorist Property Reports) reporting form; and
- The new STR reporting form.

The new forms will also be available on Friday 20 May 2005 on the FIC website (www.fic.gov.za) to be printed and used. You will also be able to report electronically from the website. Please continue to report as usual.

It should be noted that the batch-reporting tool used by some institutions should not be used to submit any of the new reports, as the fields do not match the new reports.

A link will be made available on the FIC website to the South African Police Service (SAPS) website, where you will find the legislation and their proclamation notice including SAPS contact numbers. This will all only be available from Friday 20 May 2005.

Should you experience any **reporting** problems in respect of the new requirements, queries can be directed to **Ms. Sonja du Toit** at the FIC at telephone number (012) 309 9200.

Kind regards

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