

Definitions of Politically Exposed and Prominent Influential Persons

In line with legislative and regulatory requirements, including in terms of the Financial Intelligence Centre Amendment Act 1 of 2017 (as well as legislation amending that piece of legislation), we are required to establish (particularly when opening and transacting on a bank account opened in terms of section 86(4) of the Act), including where our client is a company, close corporation, trust or partnership (in which case, this relates to any shareholder, director, member, founder, trustee, beneficiary and/or partner, as the case may be, of such entity) whether our client is a: domestic politically exposed person; foreign politically exposed person or a prominent influential person, or is related to such person.

1. A domestic politically exposed person is an individual who:
 - 1.1. holds, including in an acting position for a period exceeding six months, or has held a prominent public function in the Republic, including that of:
 - 1.1.1. the President or Deputy President;
 - 1.1.2. a government minister or deputy minister;
 - 1.1.3. the Premier of a province;
 - 1.1.4. a member of the Executive Council of a province;
 - 1.1.5. an executive mayor of a municipality elected in terms of the Local Government: Municipal Structures Act 117 of 1998;
 - 1.1.6. a leader of a political party registered in terms of the Electoral Commission Act 51 of 1996;
 - 1.1.7. a member of a royal family or senior traditional leader as defined in the Traditional Leadership and Governance Framework Act 41 of 2003;
 - 1.1.8. the head, accounting officer or chief financial officer of a national or provincial department or government component, as defined in section 1 of the Public Service Act, 1994 (Proclamation No. 103 of 1994);
 - 1.1.9. the municipal manager of a municipality appointed in terms of section 54A of the Local Government: Municipal Systems Act 32 of 2000, or a chief financial officer designated in terms of section 80 (2) of the Municipal Finance Management Act 56 of 2003;
 - 1.1.10. the chairperson of the controlling body, the chief executive officer, or a natural person who is the accounting authority, the chief financial officer or the chief investment officer of a public entity listed in Schedule 2 or 3 to the Public Finance Management Act 1 of 1999;
 - 1.1.11. the chairperson of the controlling body, chief executive officer, chief financial officer or chief investment officer of a municipal entity as defined in section 1 of the Local Government: Municipal Systems Act 32 of 2000;
 - 1.1.12. a constitutional court judge or any other judge as defined in section 1 of the Judges' Remuneration and Conditions of Employment Act 47 of 2001;
 - 1.1.13. an ambassador or high commissioner or other senior representative of a foreign government based in the Republic; or
 - 1.1.14. an officer of the South African National Defence Force above the rank of major-general, or
 - 1.2. holds, including in an acting position for a period exceeding six months, or has held the position of head, or other executive directly accountable to that head, of an international organisation.
2. A foreign politically exposed person is an individual who holds, or has held, in any foreign country, a prominent public function, including that of a:
 - 2.1. head of state or head of a country or government;
 - 2.2. member of a foreign royal family;
 - 2.3. government minister or equivalent senior politician or leader of a political party;
 - 2.4. senior judicial official;
 - 2.5. senior executive of a state-owned corporation; or
 - 2.6. high-ranking member of the military.
3. A prominent influential person is an individual who holds, or has held at any time in the preceding 12 months, the position of:
 - 3.1. chairperson of the board of directors;
 - 3.2. chairperson of the audit committee;
 - 3.3. executive officer; or
 - 3.4. chief financial officer,

of a company, as defined in the Companies Act 71 of 2008, if the company provides goods or services to an organ of state and the annual transactional value of the goods or services or both exceeds an amount R1 000 000,00 per calendar year (although, this amount may change when determined by the Minister by notice in the Gazette).
4. You will be regarded as being related to a politically exposed or prominent influential person if you are:
 - 4.1. their spouse, civil partner or life partner;
 - 4.2. their former spouse, civil partner or life partner;
 - 4.3. their child or step-child;

- 4.4. the spouse, civil partner or life partner of such child or step-child;
- 4.5. the spouse, civil partner or life partner of such child or step-child;
- 4.6. their parents;
- 4.7. their sibling or step-sibling;
- 4.8. the spouse civil partner or life partner of such sibling or step-sibling; or
- 4.9. the spouse civil partner or life partner of such sibling or step-sibling.