

Ministerial Exemptions Under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009

In accordance with section 157(6)(b) of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (“Act”), the Associate Minister of Justice gave notice on 25 July 2018 that he has granted the following exemption from the Act:

Ministerial exemption: Computershare Investor Services Limited

Exempting Computershare Investor Services Limited (“Computershare”) from the following provisions of the Act:

- a. Sections 10–39; and
- b. sections 49–71 inclusive.

This exemption is made subject to the following conditions:

- a. Computershare must inform the Ministry of Justice of any changes that may affect the exemption within 14 days of when the change occurs;
- b. where relevant, Computershare must submit suspicious activity reports; Subpart 2 of Part 2 of the Act applies;
- c. where the transaction is relevant to a suspicious activity; section 49, section 49A and sections 92–100 of the Act apply;
- d. where relevant thresholds are met, Computershare must submit prescribed transaction reports; Subpart 2A of Part 2 applies and sections 92–100 of the Act apply;
- e. securities sold via “Investor Trade” must be listed on either the NZX Main Board (“NZSX”) (or any other equity market operated by NZX), or the Australian Stock Exchange (“ASX”);
- f. security holdings must be sold “whole” (an investor-customer’s entire holding of the particular securities in question);
- g. the listed security holding must be in an investor-customer’s name, and cannot be held in a deceased estate or be a joint or company holding; and
- h. payments made by Computershare to investor-customers are restricted to payments to New Zealand bank accounts only.

The exemption has been made for the following reasons:

- a. The risk of money laundering/terrorist financing associated with Computershare’s business is low;
- b. Computershare, in the absence of an exemption, would be subject to an undue regulatory burden as the majority of its ordinary business activity captured under the Act is exempt by way of existing regulation;
- c. granting this exemption is unlikely to affect third-party reporting entities; and

d. any benefits of requiring compliance with the Act are not justified by the associated costs.

This exemption comes into force on 23 July 2018.

This exemption will expire on 30 June 2023.

Any person wishing to provide comment on this notice should contact the Terrorism and Law Enforcement Stewardship Team at the Ministry of Justice by emailing amlcft.exemptions@justice.govt.nz.