

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 15 March 2021 that he has granted the following exemption from the Act:

Ministerial Exemption: Habitat for Humanity New Zealand Limited and Habitat Affiliates

Exempting Habitat for Humanity New Zealand Limited and Habitat Affiliates from the following provisions of the Act:

- a. sections 10–71 (inclusive)

In this exemption, unless the context otherwise requires:

Habitat Affiliates means the following persons:

- Habitat for Humanity (Central North Island) Limited;
- Habitat for Humanity (Christchurch) Limited;
- Habitat for Humanity (Dunedin) Limited;
- Habitat for Humanity Eastern Bay of Plenty Limited;
- Habitat for Humanity Greater Auckland Limited;
- Habitat for Humanity (Invercargill) Limited;
- Habitat for Humanity Lower North Island Limited;
- Habitat for Humanity (Nelson) Limited;
- Habitat for Humanity (Northland) Limited; and
- Habitat for Humanity Taranaki Limited.

This exemption is made subject to the following conditions:

- a. The exemption only applies to services that Habitat for Humanity New Zealand Limited and Habitat Affiliates provide to individuals and families under the Progressive Home Ownership programme and the Home Repair programme; and
- b. Habitat for Humanity New Zealand Limited must inform the Ministry of Justice of any changes that may affect the exemption and/or conditions imposed by this written instrument within 10 working days from when the change affecting the exemption occurs.

This exemption has been made for the following reasons:

- a. the Habitat for Humanity New Zealand and Habitat Affiliates (collectively, “Habitat Entities”) only offer two loan programmes that attract obligations under the Act. There is a relatively low overall volume and value of funds disbursed through the two programmes which reduces the potential for money laundering and terrorism financing abuse.
- b. the Habitat Entities operate in defined geographic areas and only to specific customers that are identified as families from a community of need. Further, there is a rigorous selection process to choose the partner families who receive its services;
- c. payments are made directly between the Habitat Entities and the partner family without third party involvement. This includes any repayments from partner families to the Habitat Entities; and
- d. the relationship between the Habitat Entities and the recipient continues over a long period of time (up to 10–15 years).

This exemption comes into force on 9 March 2021.

This exemption will expire on 9 March 2026.

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.