



## AML/CFT Act review: Summary report

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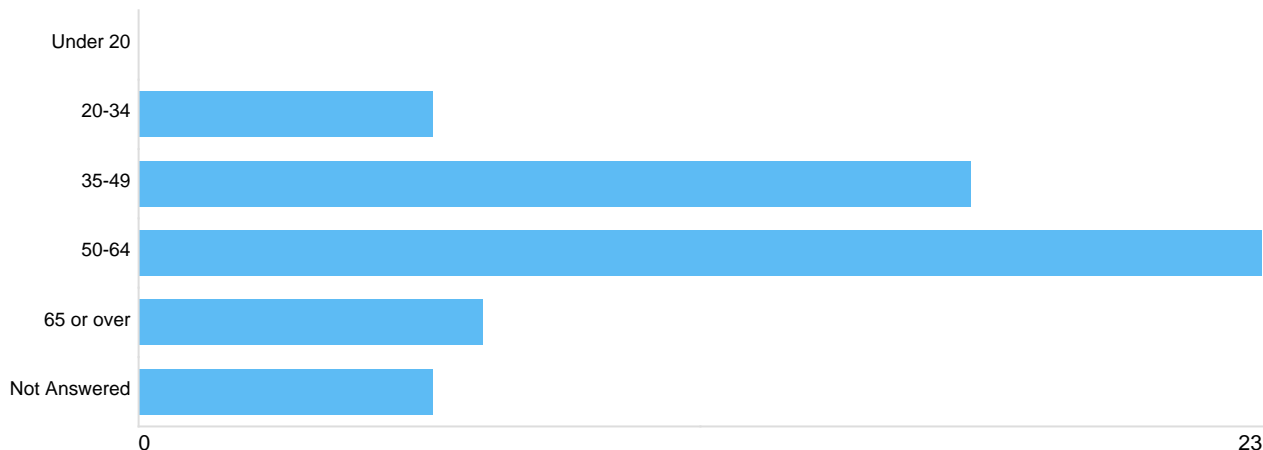
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### Question 1: What age group are you in?

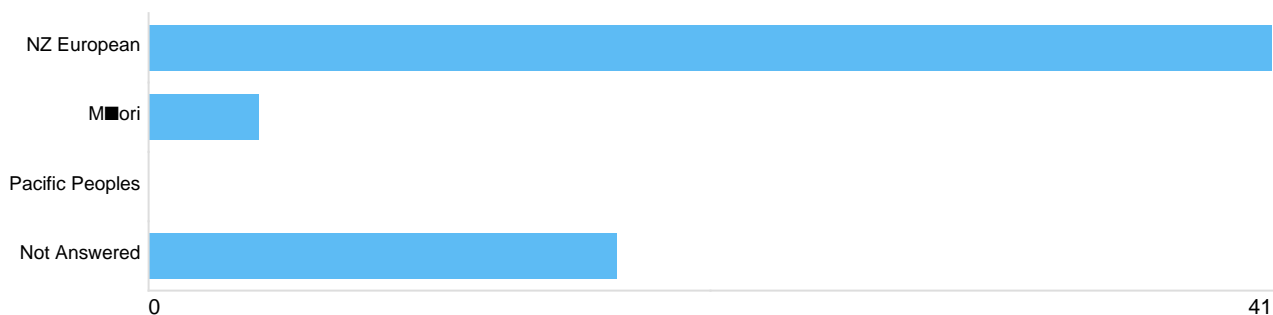
#### Age



Option	Total	Percent
Under 20	0	0.00%
20-34	6	10.17%
35-49	17	28.81%
50-64	23	38.98%
65 or over	7	11.86%
Not Answered	6	10.17%

### Question 2: What is your ethnicity? (You can select more than one.)

#### Ethnicity



Option	Total	Percent
NZ European	41	69.49%
Māori	4	6.78%
Pacific Peoples	0	0.00%
Not Answered	17	28.81%

#### Please specify

There was 1 response to this part of the question.



**Ethnicity**

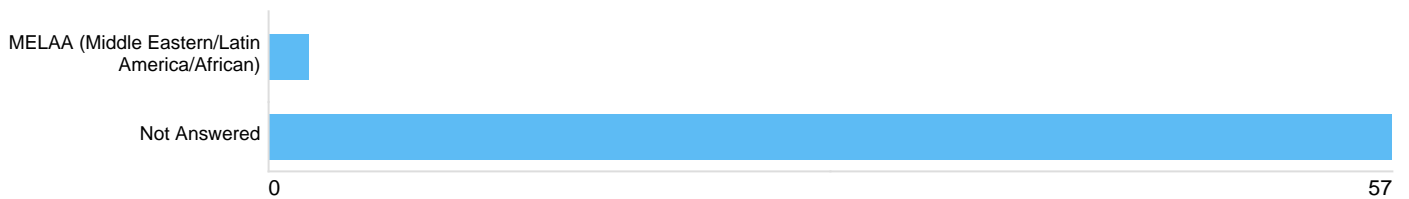


Option	Total	Percent
Asian	5	8.47%
Not Answered	54	91.53%

**Please specify**

There were 4 responses to this part of the question.

**Ethnicity**



Option	Total	Percent
MELAA (Middle Eastern/Latin America/African)	2	3.39%
Not Answered	57	96.61%

**Please specify**

There were 2 responses to this part of the question.

**Ethnicity**



Option	Total	Percent
Other ethnicity	1	1.69%
Not Answered	58	98.31%

**Please specify**

There were 4 responses to this part of the question.

**Question 3: If you're responding on behalf of an organisation or particular interest group, please give details below:**

**Organisation or special interest group details**

There were 37 responses to this part of the question.

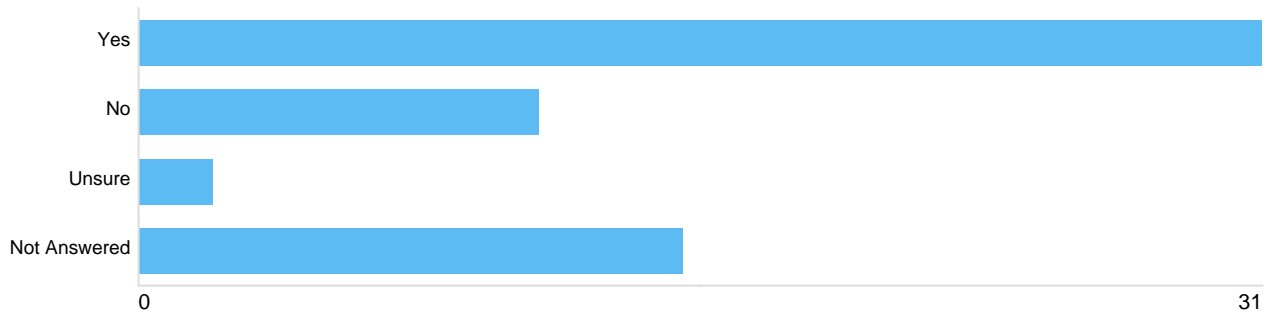
**Question 4: If you would like to be contacted in the future about AML/CFT work, please include your email address below. (Note you are not required to provide your email address. You can provide your submission anonymously.)**

**Email address**

There were 24 responses to this part of the question.

**Question 1.1: Are the purposes of the Act still appropriate for New Zealand’s Anti-Money Laundering and Countering Financing of Terrorism (AML/CFT) regime?**

**Purposes of Act still appropriate**



Option	Total	Percent
Yes	31	52.54%
No	11	18.64%
Unsure	2	3.39%
Not Answered	15	25.42%

**If you answered 'no', what should be changed?**

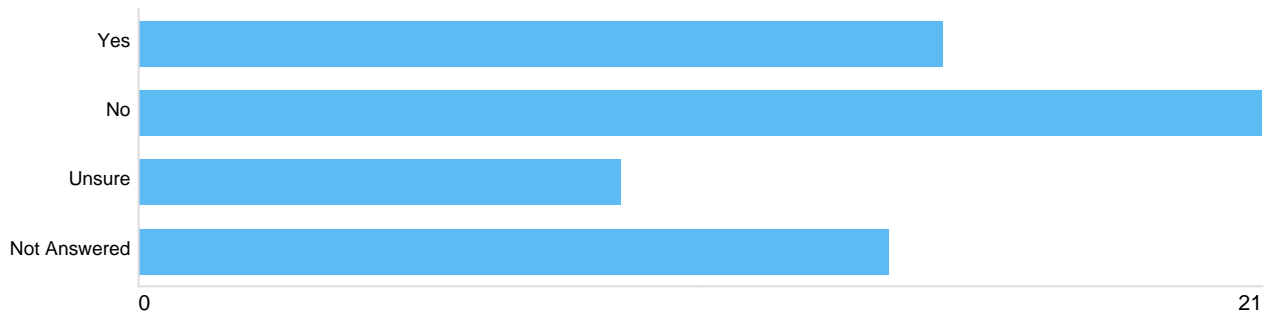
There were **10** responses to this part of the question.

**If you think there are other purposes that should be added, please give details below:**

There were **10** responses to this part of the question.

**Question 1.2: Should a purpose of the Act be that it seeks to actively prevent money laundering and terrorism financing, rather than simply deterring or detecting it?**

**Select one**



Option	Total	Percent
Yes	15	25.42%
No	21	35.59%
Unsure	9	15.25%
Not Answered	14	23.73%

**Please comment on your answer.**

There were **30** responses to this part of the question.

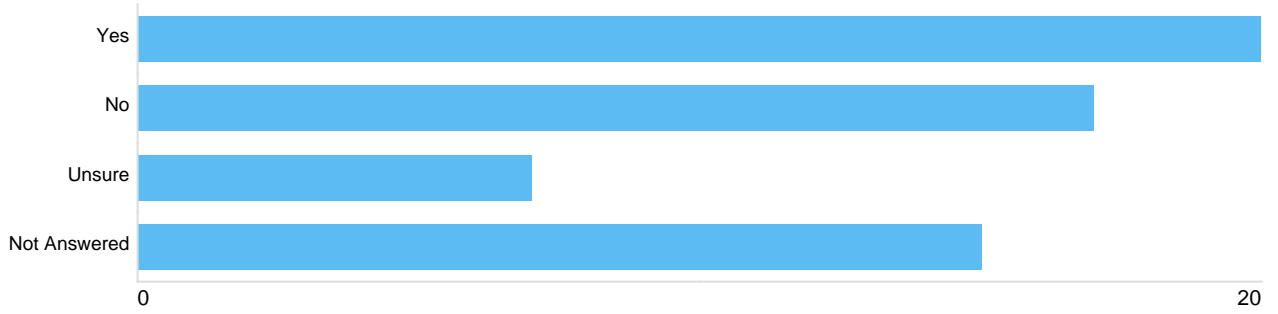
**Question 1.3: If you answered 'yes' to Question 1.2, do you have any suggestions how this purpose should be reflected in the Act, including whether there need to be any additional or updated obligations for businesses?**

**Please share your comments below.**

There were **19** responses to this part of the question.

**Question 1.4: Should a purpose of the Act be that it also seeks to counter the financing of proliferation of weapons of mass destruction?**

*Should a purpose of Act be counter the financing of proliferation of weapons of mass destruction*



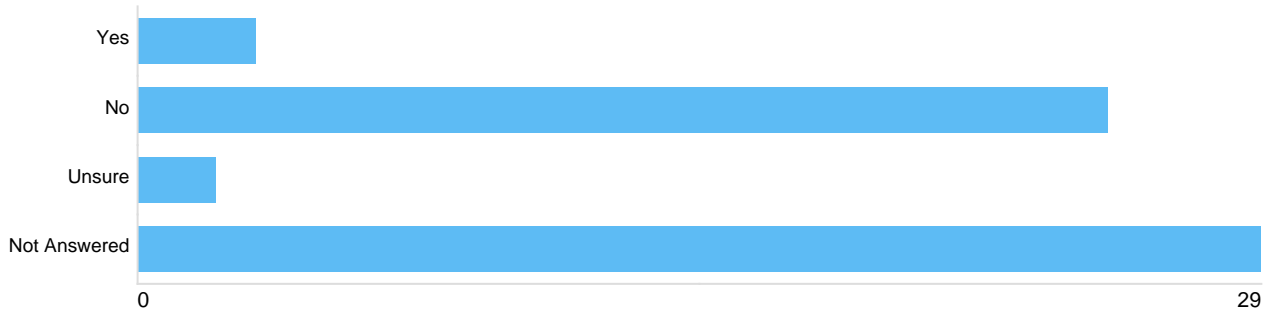
Option	Total	Percent
Yes	20	33.90%
No	17	28.81%
Unsure	7	11.86%
Not Answered	15	25.42%

**Please comment on your answer.**

There were **28** responses to this part of the question.

**Question 1.5: If you answered 'yes' to Question 1.4, should the purpose be limited to proliferation financing risks emanating from Iran and the Democratic People's Republic of Korea?**

*imited to proliferation financing risks emanating from Iran and the Democratic People's Republic of Korea*

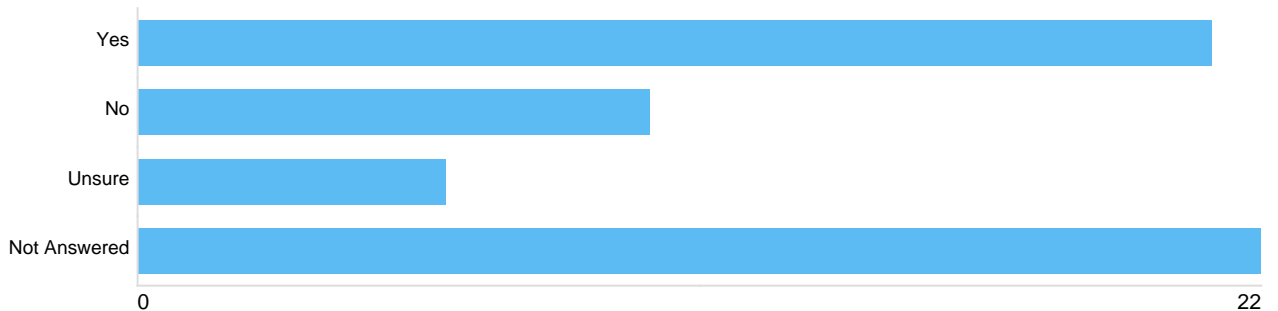


Option	Total	Percent
Yes	3	5.08%
No	25	42.37%
Unsure	2	3.39%
Not Answered	29	49.15%

**Please give reasons for your answer.**

There were **23** responses to this part of the question.

**or should the purpose be to combat proliferation financing more generally?**



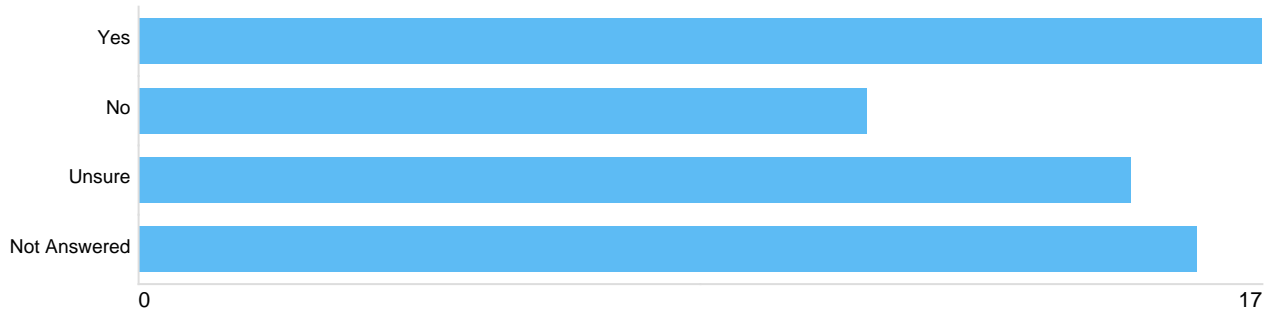
Option	Total	Percent
Yes	21	35.59%
No	10	16.95%
Unsure	6	10.17%
Not Answered	22	37.29%

**Please comment on your answer.**

There were **18** responses to this part of the question.

**Question 1.6: Should the Act support the implementation terrorism and proliferation financing targeted financial sanctions, required under the Terrorism Suppression Act 2002 and United Nations Act 1946?**

*support the implementation terrorism and proliferation financing targeted financial sanctions*



Option	Total	Percent
Yes	17	28.81%
No	11	18.64%
Unsure	15	25.42%
Not Answered	16	27.12%

**Please comment on your answer.**

There were **23** responses to this part of the question.

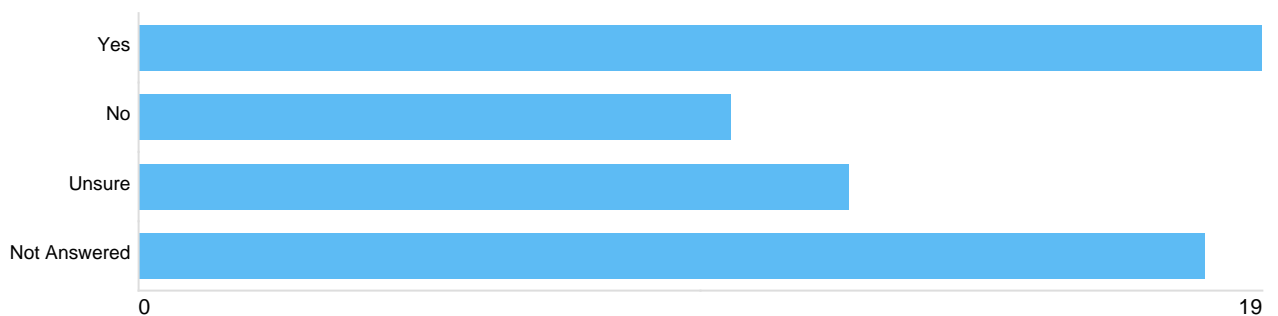
**Question 1.7: What could be improved about New Zealand's framework for sharing information to manage risks?**

*What could be improved about New Zealand's framework for sharing information to manage risks*

There were **30** responses to this part of the question.

**Question 1.8: Are the requirements in section 58 still appropriate?**

*Are the requirements in section 58 still appropriate*



Option	Total	Percent
Yes	19	32.20%
No	10	16.95%
Unsure	12	20.34%
Not Answered	18	30.51%

**Please comment on your answer.**

There were **24** responses to this part of the question.

**How could the government provide risk information to businesses so that it is more relevant and easily understood?**

There were 27 responses to this part of the question.

**Question 1.9: What is the right balance between prescriptive regulation compared with the risk-based approach?**

**What is the right balance between prescriptive regulation compared with the risk-based approach**

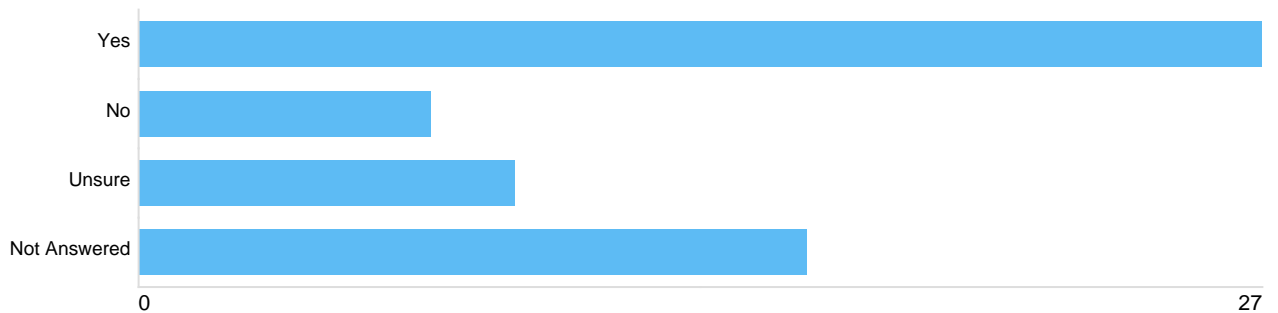
There were 34 responses to this part of the question.

**Does the Act currently achieve that balance, or is more (or less) prescription required?**

There were 34 responses to this part of the question.

**Question 1.10: Do some obligations require the government to set minimum standards?**

**Minimum standards**



Option	Total	Percent
Yes	27	45.76%
No	7	11.86%
Unsure	9	15.25%
Not Answered	16	27.12%

**If you answered 'yes', please comment on how this could be done.**

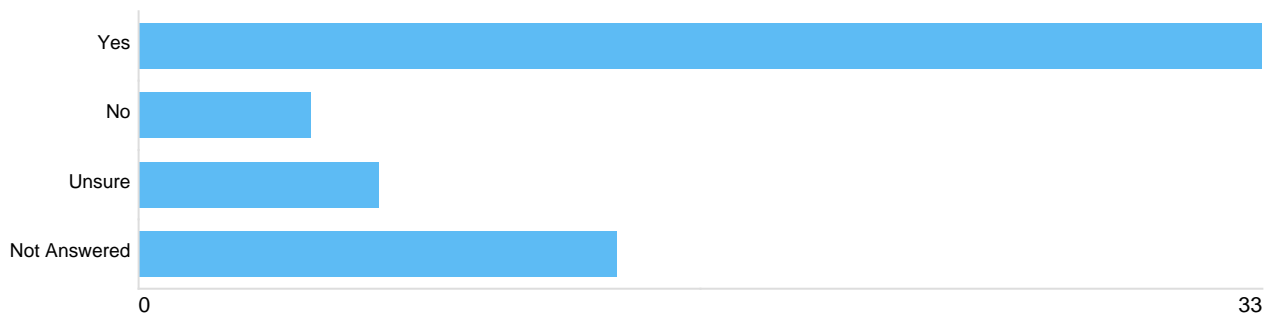
There were 27 responses to this part of the question.

**What role should guidance play in providing further clarity?**

There were 24 responses to this part of the question.

**Question 1.11: Could more be done to ensure that businesses' obligations are in proportion to the risks they are exposed to?**

**Could more be done to ensure that businesses' obligations are in proportion to the risks**



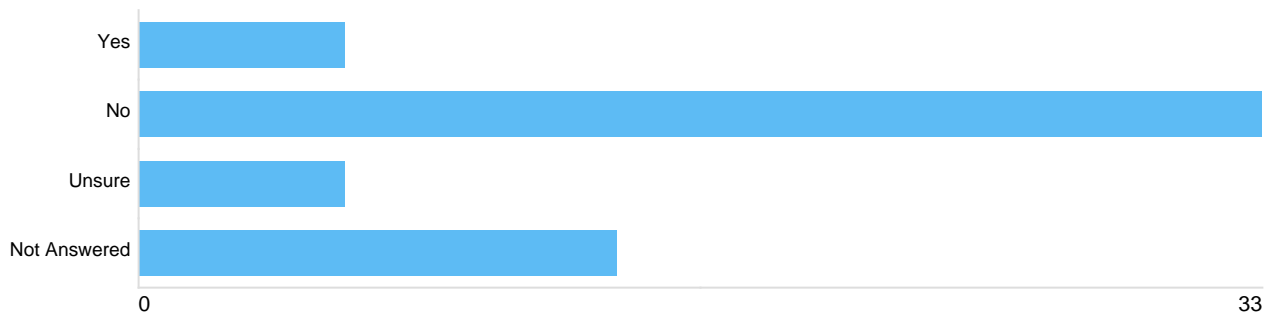
Option	Total	Percent
Yes	33	55.93%
No	5	8.47%
Unsure	7	11.86%
Not Answered	14	23.73%

**If you answered 'yes', please give reasons for your answer.**

There were 33 responses to this part of the question.

**Question 1.12: Does the Act appropriately reflect the size and capacity of the businesses within the AML/CFT regime?**

*Act appropriately reflect the size and capacity of the businesses within the AML/CFT regime*



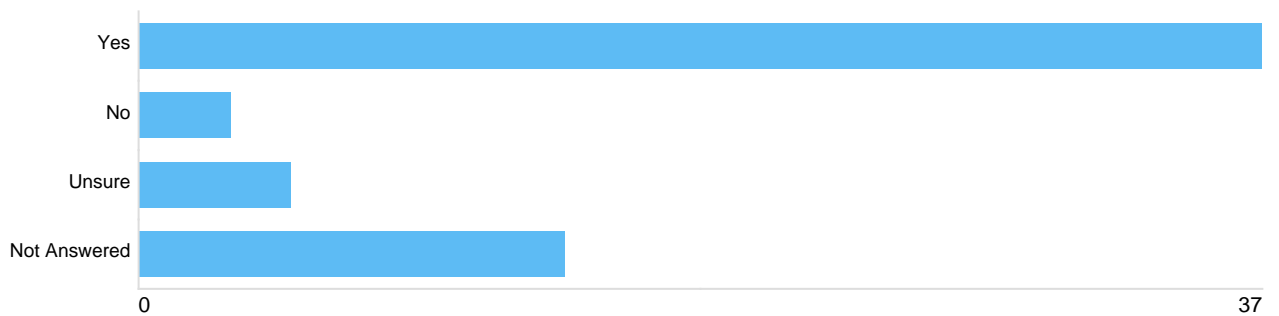
Option	Total	Percent
Yes	6	10.17%
No	33	55.93%
Unsure	6	10.17%
Not Answered	14	23.73%

**Please give reasons for your answer.**

There were 37 responses to this part of the question.

**Question 1.13: Could more be done to ensure that businesses' obligations are in proportion to the risks they are exposed to and the size of the business?**

*more be done to ensure that businesses' obligations are in proportion to the risks they are exposed to*



Option	Total	Percent
Yes	37	62.71%
No	3	5.08%
Unsure	5	8.47%
Not Answered	14	23.73%

**If you answered 'yes', please share your suggestions:**

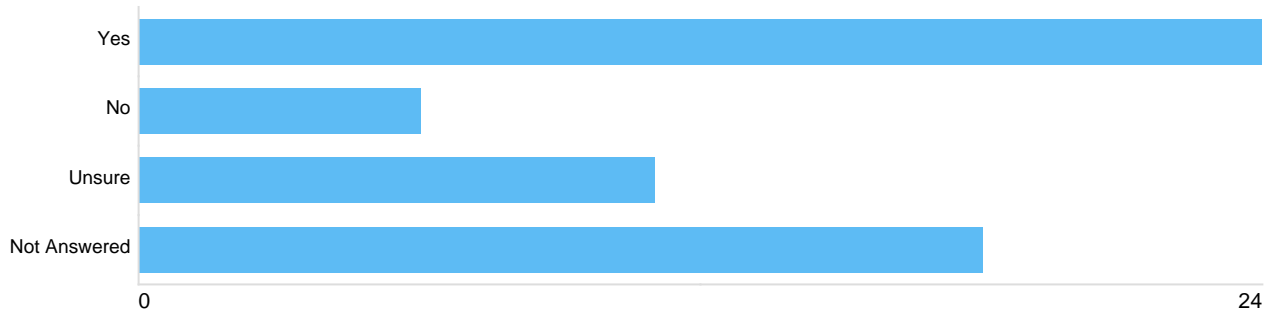
There were 31 responses to this part of the question.

**Question 1.14: Are exemptions still required for the regime to operate effectively?**

*If not, how can we ensure AML/CFT obligations are appropriate for low-risk businesses or activities?*

There were 20 responses to this part of the question.

**exemptions still required for the regime to operate effectively**



Option	Total	Percent
Yes	24	40.68%
No	6	10.17%
Unsure	11	18.64%
Not Answered	18	30.51%

**Question 1.15: Is the Minister of Justice the appropriate decision maker for exemptions under section 157?**

**Minister of Justice the appropriate decision maker for exemptions under section 157**



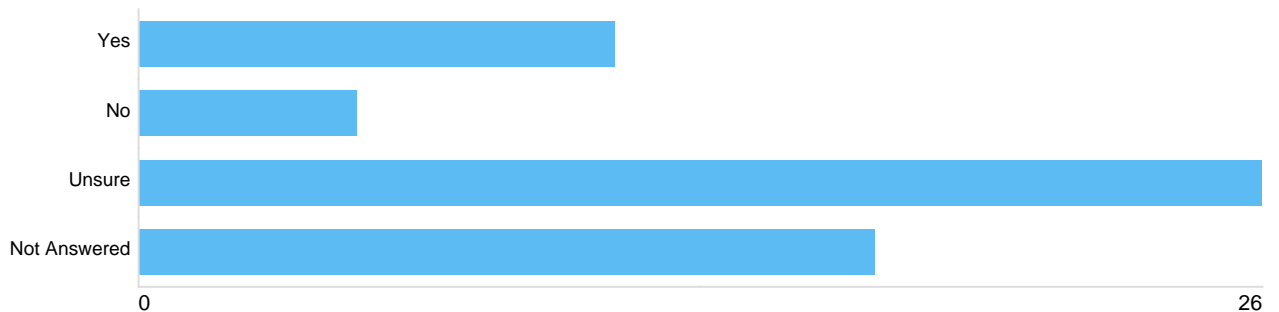
Option	Total	Percent
Yes	16	27.12%
No	15	25.42%
Unsure	11	18.64%
Not Answered	17	28.81%

**If you answered 'no', should it be an operational decision maker such as the Secretary of Justice? Please comment below.**

There were 18 responses to this part of the question.

**Question 1.16: Are the factors set out in section 157(3) appropriate?**

**Are the factors set out in section 157(3) appropriate**



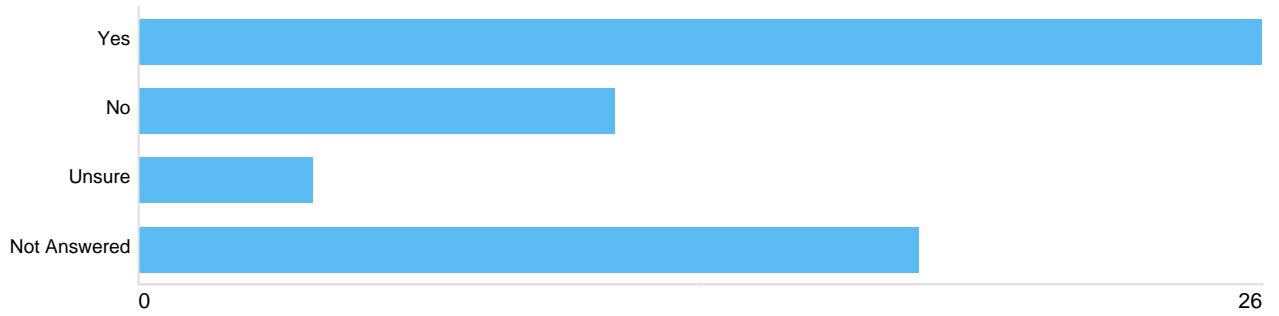
Option	Total	Percent
Yes	11	18.64%
No	5	8.47%
Unsure	26	44.07%
Not Answered	17	28.81%

**If you answered 'no', please give reasons for your answer:**

There were 11 responses to this part of the question.

**Question 1.17: Should it be specified that exemptions can only be granted in instances of proven low risk?**

*Should it be specified that exemptions can only be granted in instances of proven low risk*



Option	Total	Percent
Yes	26	44.07%
No	11	18.64%
Unsure	4	6.78%
Not Answered	18	30.51%

**Please give reasons for your answer.**

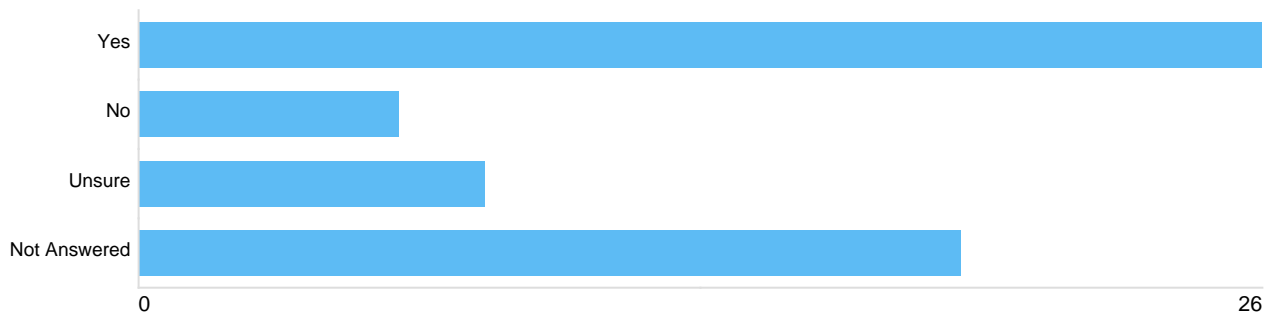
There were **19** responses to this part of the question.

**Should this be the risk of the exemption, or the risk of the business?**

There were **21** responses to this part of the question.

**Question 1.18: Should the Act specify what applicants for exemptions under section 157 should provide?**

*Should the Act specify what applicants for exemptions under section 157 should provide*



Option	Total	Percent
Yes	26	44.07%
No	6	10.17%
Unsure	8	13.56%
Not Answered	19	32.20%

**Please give reasons for your answer.**

There were **19** responses to this part of the question.

**Should there be a simplified process when applying to renew an existing exemption?**

There were **22** responses to this part of the question.



**Question 1.19: Should there be other avenues beyond judicial review for applicants if the Minister decides not to grant an exemption?**

*ther avenues beyond judicial review for applicants if the Minister decides not to grant an exemption*



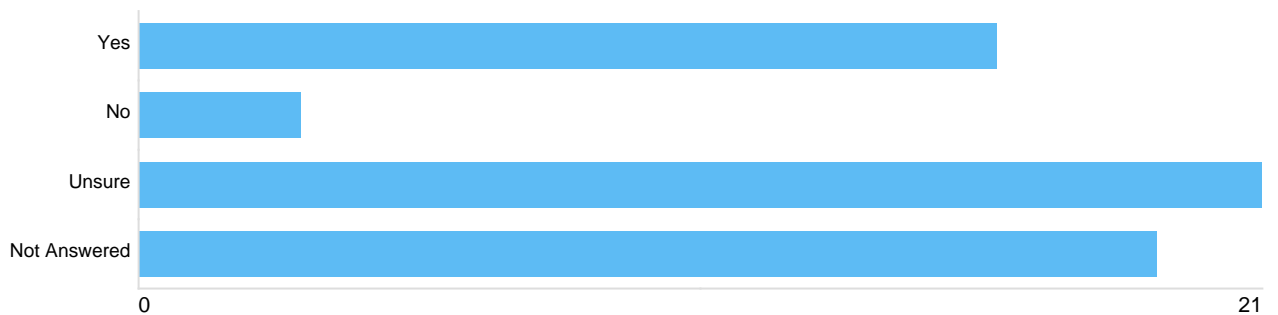
Option	Total	Percent
Yes	11	18.64%
No	14	23.73%
Unsure	15	25.42%
Not Answered	19	32.20%

*If you answered 'yes', what could these avenues look like?*

There were 12 responses to this part of the question.

**Question 1.20: Are there any other improvements that we could make to the exemptions function?**

*any other improvements that we could make to the exemptions function?*



Option	Total	Percent
Yes	16	27.12%
No	3	5.08%
Unsure	21	35.59%
Not Answered	19	32.20%

*If you answered 'yes', please give details:*

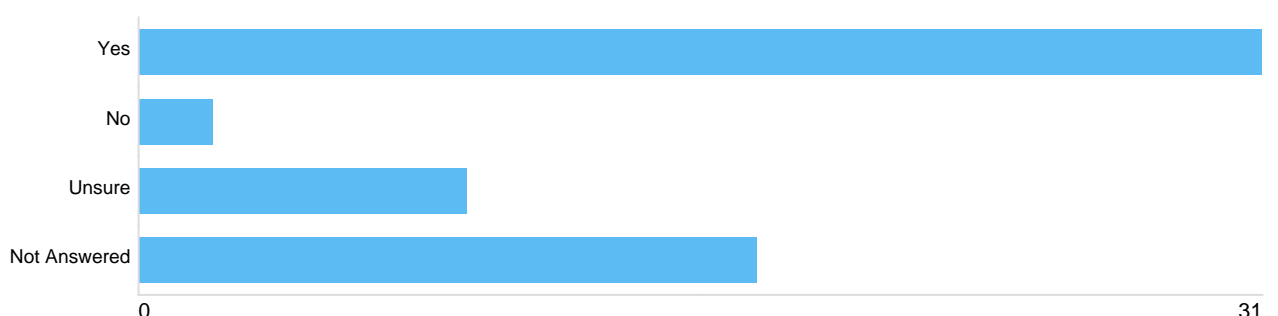
There were 12 responses to this part of the question.

*For example, should the process be more formalised with a linear documentary application process?*

There were 11 responses to this part of the question.

**Question 1.21: Can the AML/CFT regime do more to mitigate its potential unintended consequences?**

*Can the AML/CFT regime do more to mitigate its potential unintended consequences*



Option	Total	Percent
Yes	31	52.54%
No	2	3.39%
Unsure	9	15.25%
Not Answered	17	28.81%

**If you answered 'yes', please give details:**

There were **28** responses to this part of the question.

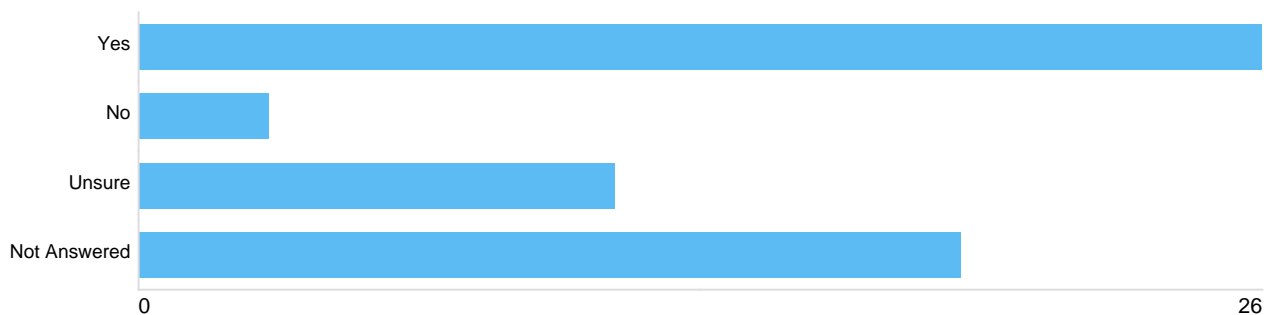
**Question 1.22: How could the regime better protect the need for people to access banking services to properly participate in society?**

*How could the regime better protect the need for people to access banking services*

There were **26** responses to this part of the question.

**Question 1.23: Are there any other unintended consequences of the regime?**

*any other unintended consequences of the regime*



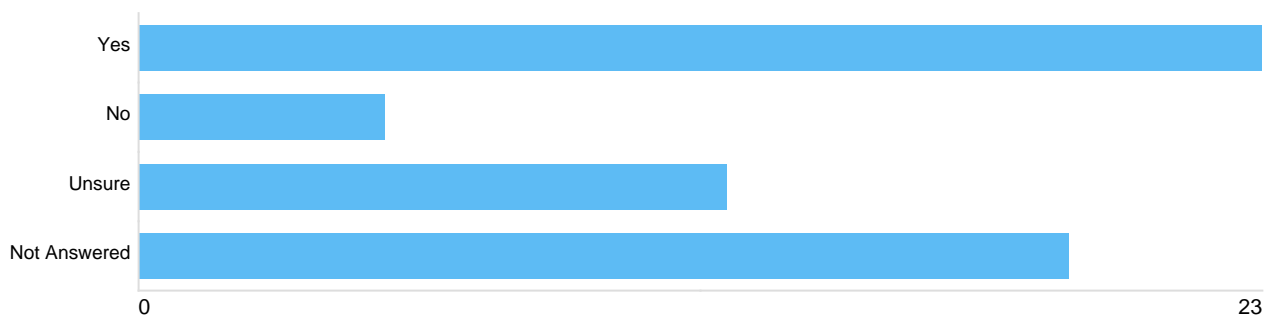
Option	Total	Percent
Yes	26	44.07%
No	3	5.08%
Unsure	11	18.64%
Not Answered	19	32.20%

**If you answered 'yes', what are they and how could we resolve them?**

There were **26** responses to this part of the question.

**Question 1.24: Can the Act do more to enable private sector collaboration and coordination?**

*Can the Act do more to enable private sector collaboration*



Option	Total	Percent
Yes	23	38.98%
No	5	8.47%
Unsure	12	20.34%
Not Answered	19	32.20%

**If you answered 'yes', please give details:**

There were **23** responses to this part of the question.

**Question 1.25: What do you see as the ideal future for public and private sector cooperation?**

*the ideal future for public and private sector cooperation*

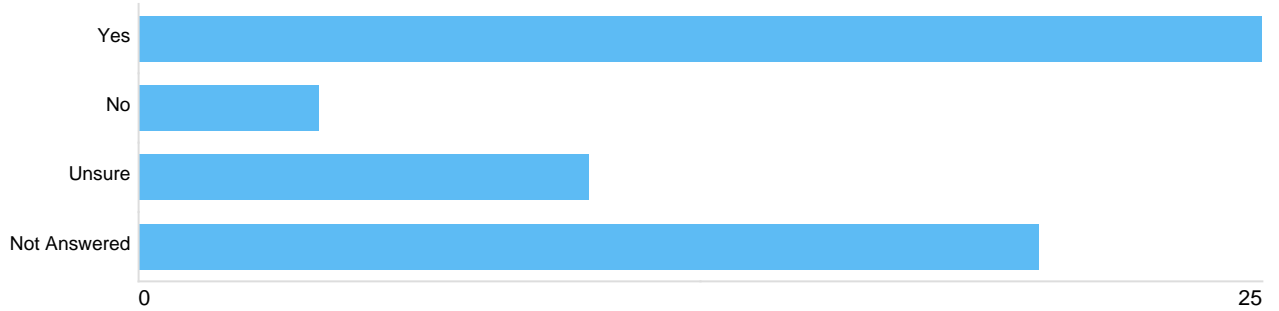
There were **25** responses to this part of the question.

**Are there any barriers that prevent that future from being realised and if so, what are they?**

There were **21** responses to this part of the question.

**Question 1.26: Should there be greater sharing of information from agencies to the private sector?**

*greater sharing of information from agencies to the private sector*



Option	Total	Percent
Yes	25	42.37%
No	4	6.78%
Unsure	10	16.95%
Not Answered	20	33.90%

**If you answered 'yes', would this enhance the operation of the regime? Please share your comments.**

There were **20** responses to this part of the question.

**Question 1.27: Should the Act require have a mechanism to enable feedback about the operation and performance of the Act on an ongoing basis?**

*Should the Act require have a mechanism to enable feedback*



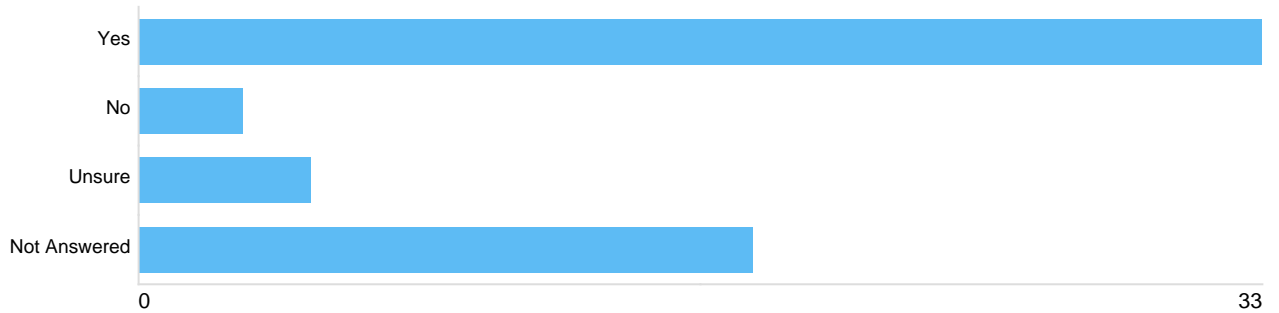
Option	Total	Percent
Yes	32	54.24%
No	2	3.39%
Unsure	5	8.47%
Not Answered	20	33.90%

**If you answered 'yes', what is the mechanism and how could it work?**

There were **26** responses to this part of the question.

**Question 1.28: Should the New Zealand Police Financial Intelligence Unit (FIU) be able to request information from businesses which are not reporting entities in certain circumstances (e.g. requesting information from travel agents or airlines relevant to analysing terrorism financing)?**

*Should the New Zealand Police Financial Intelligence Unit (FIU) be able to request information from businesses which are not reporting entities*



Option	Total	Percent
Yes	33	55.93%
No	3	5.08%
Unsure	5	8.47%
Not Answered	18	30.51%

*Please give reasons for your answer.*

There were **25** responses to this part of the question.

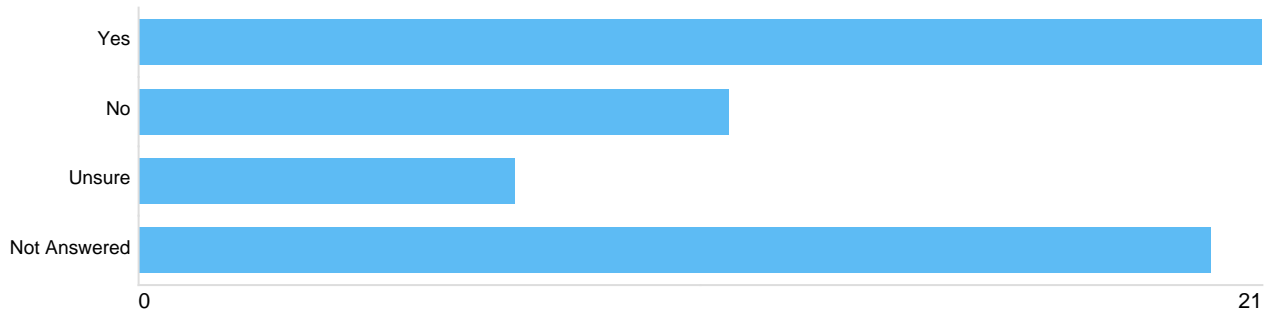
**Question 1.29: If the FIU had this power, under what circumstances should it be able to be used and should there be any constraints on using the power?**

*Please share your comments below.*

There were **32** responses to this part of the question.

**Question 1.30: Should the FIU be able to request information from businesses on an ongoing basis?**

**Q1.31multi**



Option	Total	Percent
Yes	21	35.59%
No	11	18.64%
Unsure	7	11.86%
Not Answered	20	33.90%

*Please explain your answer*

There were **27** responses to this part of the question.

**Question 1.31: If the FIU had this power, what constraints are necessary to ensure that privacy and human rights are adequately protected?**

*What constraints are needed?*

There were **26** responses to this part of the question.

**Question 1.32: Should the Act provide the FIU with a power to freeze, on a time limited basis, funds or transactions in order to prevent harm and victimisation?**

*Should the Act provide the FIU with a power to freeze, on a time limited basis, funds or transactions*



Option	Total	Percent
Yes	27	45.76%
No	6	10.17%
Unsure	6	10.17%
Not Answered	20	33.90%

*If you answered 'yes', how could the power work and operate? In what circumstances could the power be used, and how could we ensure it is a proportionate and reasonable power? Please share your comments below.*

There were 22 responses to this part of the question.

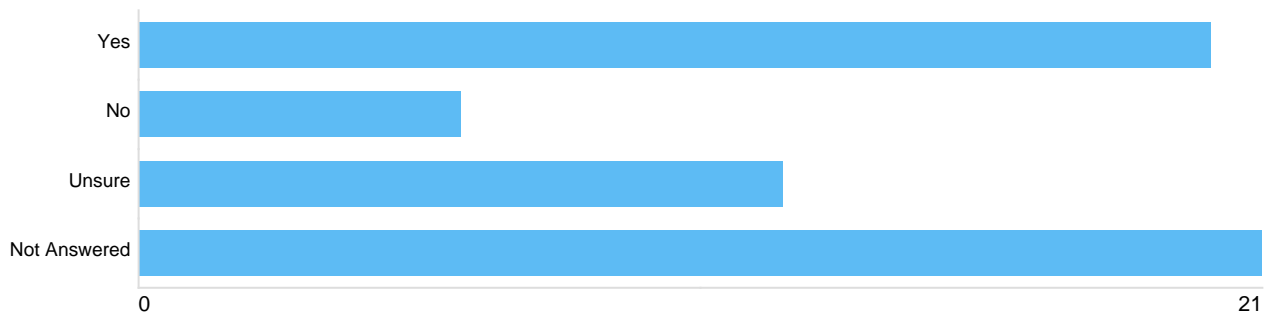
**Question 1.33: How can we avoid potentially tipping off suspected criminals when the power is used?**

*How to avoid tipping off suspected criminals*

There were 19 responses to this part of the question.

**Question 1.34: Should supervision of implementation of Targeted Financial Sanctions (TFS) fall within the scope of the AML/CFT regime?**

*Should TMS fall within scope of AML*



Option	Total	Percent
Yes	20	33.90%
No	6	10.17%
Unsure	12	20.34%
Not Answered	21	35.59%

*Please give reasons for your answer.*

There were 14 responses to this part of the question.

**Question 1.35: Which agency or agencies should be empowered to supervise, monitor, and enforce compliance with obligations to implement TFS?**

*What agencies should supervise compliance with TFS*

There were 20 responses to this part of the question.

**Question 1.36: Are the secondary legislation making powers in the Act appropriate, or are there other aspects of the regime that could benefit from having regulation making powers created?**

***Are secondary legislation making powers in Act appropriate***

There were 17 responses to this part of the question.

**Question 1.37: How could we better use secondary legislation making powers to ensure the regime is agile and responsive?**

***How to better use secondary legislation powers***

There were 12 responses to this part of the question.

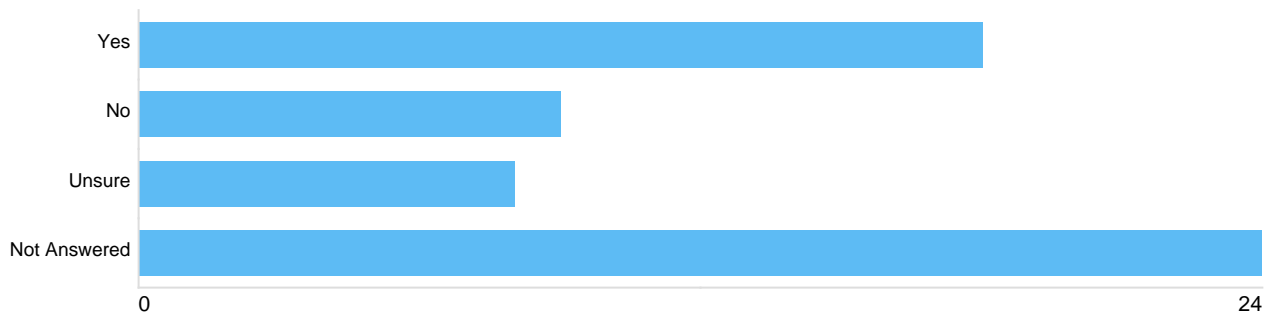
**Question 1.38: Are the three Ministers responsible for issuing Codes of Practice the appropriate decision makers, or should it be an operational decision maker such as the chief executives of the AML/CFT supervisors? Why or why not?**

***Are Code of Practice Ministers appropriate decisionmakers***

There were 19 responses to this part of the question.

**Question 1.39: Should the New Zealand Police also be able to issue Codes of Practice for some types of FIU issued guidance?**

***Should Police issue Codes of Practice***



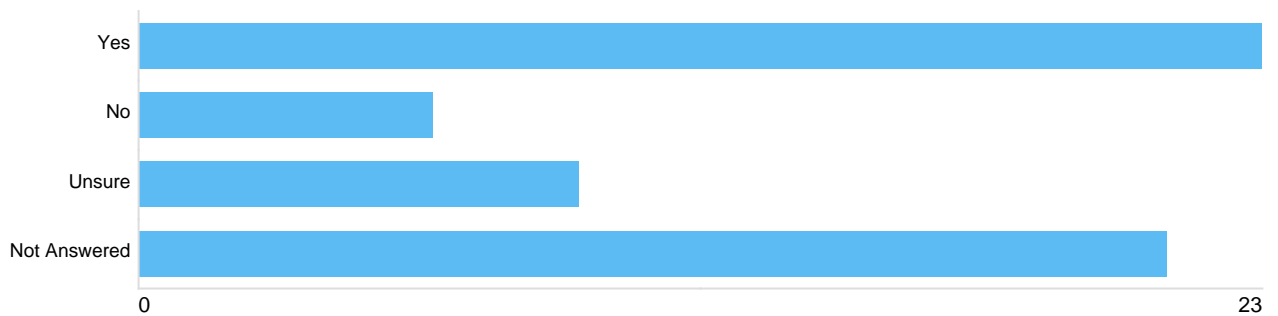
Option	Total	Percent
Yes	18	30.51%
No	9	15.25%
Unsure	8	13.56%
Not Answered	24	40.68%

***If you answered yes, what should the process be?***

There were 11 responses to this part of the question.

**Question 1.40: Are Codes of Practice a useful tool for businesses?**

***Codes of Practice a useful tool***



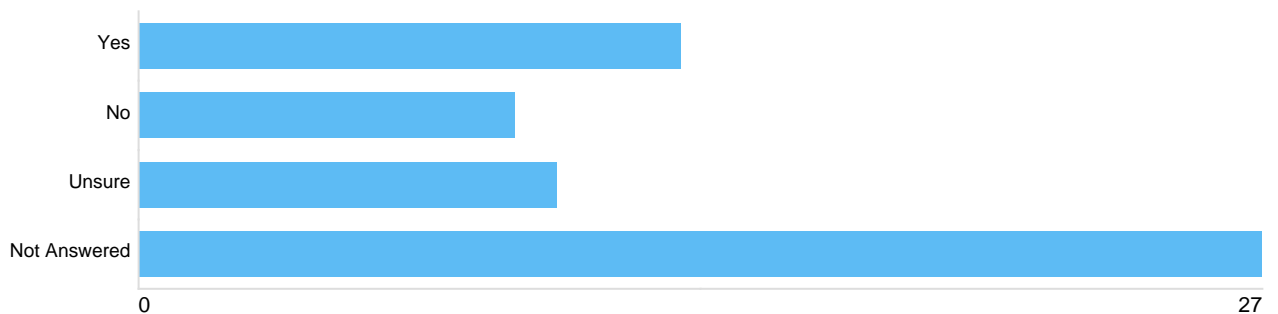
Option	Total	Percent
Yes	23	38.98%
No	6	10.17%
Unsure	9	15.25%
Not Answered	21	35.59%

***If you answered 'yes', are there any additional topics that Codes of Practice should focus on? What enhancements could be made to Codes of Practice? Please share your comments below.***

There were 15 responses to this part of the question.

**Question 1.41: Does the requirement for businesses to demonstrate they are complying through some equally effective means impact the ability for businesses to opt out of a Code of Practice?**

***Does the requirement for businesses to demonstrate they are complying through some equally effective means impact the ability for businesses to opt out of a Code of Practice?***



Option	Total	Percent
Yes	13	22.03%
No	9	15.25%
Unsure	10	16.95%
Not Answered	27	45.76%

***If you answered 'yes', please give reasons for your answer.***

There were 11 responses to this part of the question.

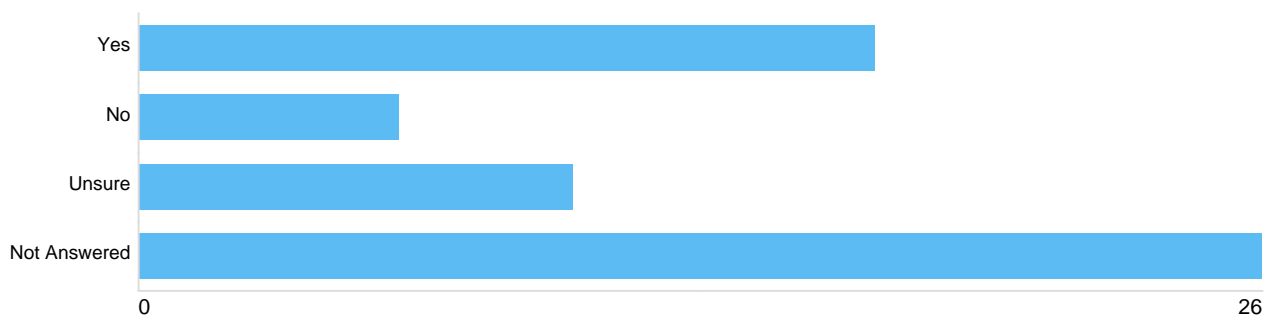
**Question 1.42: What status should be applied to explanatory notes to Codes of Practice? Are these a reasonable and useful tool?**

***What status for explanatory notes in Code of Practice***

There were 12 responses to this part of the question.

**Question 1.43: Should operational decision makers within agencies be responsible for making or amending the format of reports and forms required by the Act?**

***Should agency decisionmakers be responsible for amending report formats***



Option	Total	Percent
Yes	17	28.81%
No	6	10.17%
Unsure	10	16.95%
Not Answered	26	44.07%

**Please give reasons for your answer.**

There were 17 responses to this part of the question.

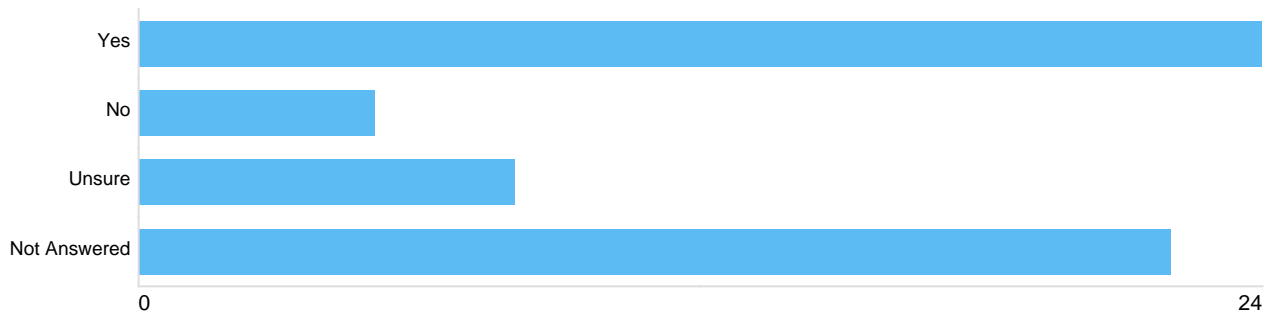
**Question 1.44: If you answered 'yes' to the previous question (question 1.43), which operational decision makers would be appropriate, and what could be the process for making the decision? For example, should the decision maker be required to consult with affected parties, and could the formats be modified for specific sectoral needs?**

**Please share your comments below.**

There were 11 responses to this part of the question.

**Question 1.45: Would AML/CFT Rules (or similar) that prescribed how businesses should comply with obligations be a useful tool for business?**

**Would rules that prescribe how businesses should comply be useful**



Option	Total	Percent
Yes	24	40.68%
No	5	8.47%
Unsure	8	13.56%
Not Answered	22	37.29%

**Please give reasons for your answer.**

There were 23 responses to this part of the question.

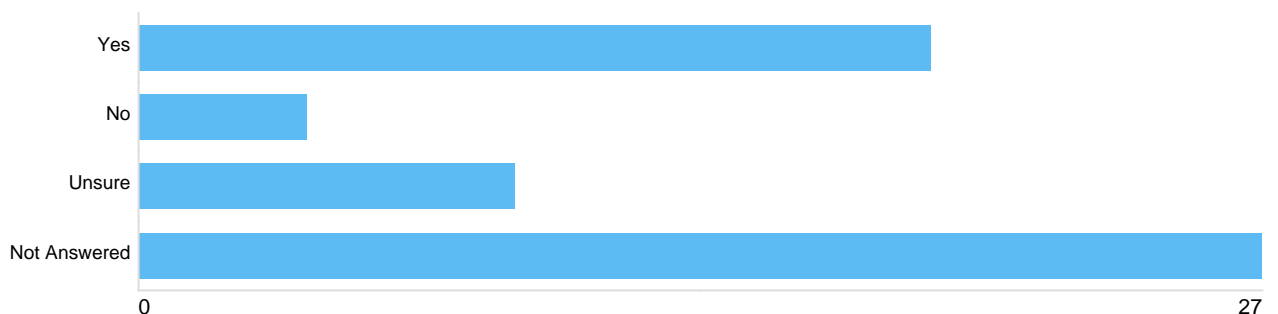
**Question 1.46: If we allowed for AML/CFT Rules to be issued, what would they be used for, and who should be responsible for issuing them?**

**What would rules be used for**

There were 17 responses to this part of the question.

**Question 1.47: Would you support regulations being issued for a tightly constrained direct data access arrangement which enables specific government agencies to query intelligence the FIU holds?**

**Support regulations for constrained data access arrangement**





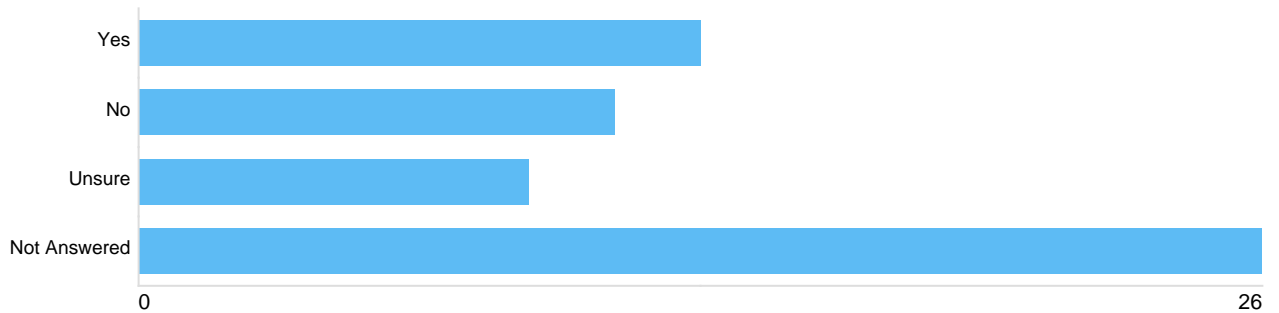
Option	Total	Percent
Yes	19	32.20%
No	4	6.78%
Unsure	9	15.25%
Not Answered	27	45.76%

**Please give reasons for your answer.**

There were 16 responses to this part of the question.

**Question 1.48: Are there any other privacy concerns that you think should be mitigated?**

**Any other privacy concerns**



Option	Total	Percent
Yes	13	22.03%
No	11	18.64%
Unsure	9	15.25%
Not Answered	26	44.07%

**Please share your comments below.**

There were 12 responses to this part of the question.

**Question 1.49: What, if any, potential impacts do you identify for businesses if information they share is then shared with other agencies? Could there be potential negative repercussions notwithstanding the protections within section 44?**

**Potential impacts for shared information being shared with others**

There were 15 responses to this part of the question.

**Question 1.50: Would you support the development of data-matching arrangements with FIU and other agencies to combat other financial offending, including trade-based money laundering and illicit trade?**

**Support development of data-matching arrangements with FIU**



Option	Total	Percent
Yes	22	37.29%
No	3	5.08%
Unsure	6	10.17%
Not Answered	28	47.46%

**Please give reasons for your answer.**

There were 15 responses to this part of the question.

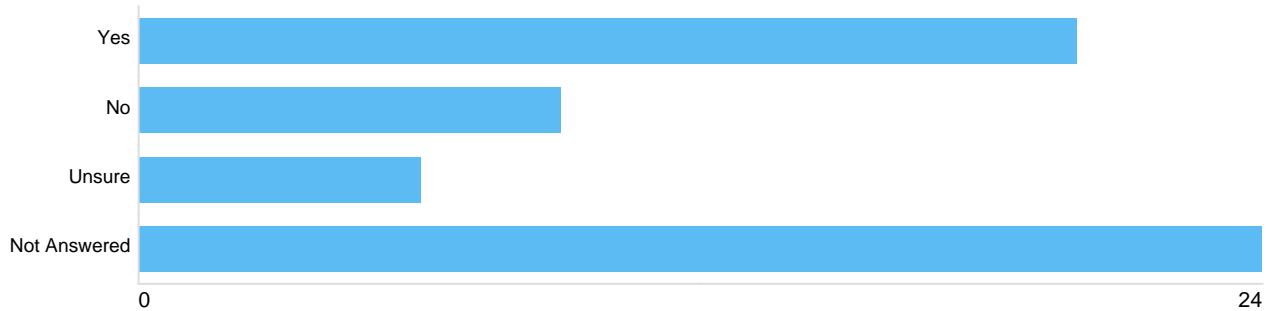
**Question 1.51: What concerns, privacy or otherwise, would we need to navigate and mitigate if we developed data-matching arrangements? For example, would allowing data-matching impact the likelihood of businesses being willing to file Suspicious Activity Reports (SARs)?**

***What concerns need to be mitigated for data-matching arrangements***

There were **16** responses to this part of the question.

**Question 1.52: Should there be an AML/CFT-specific registration regime which complies with international requirements?**

***Should there be AML-specific regime***



Option	Total	Percent
Yes	20	33.90%
No	9	15.25%
Unsure	6	10.17%
Not Answered	24	40.68%

***If you answered 'yes', how could it operate, and which agency or agencies would be responsible for its operation? Please share your comments below.***

There were **18** responses to this part of the question.

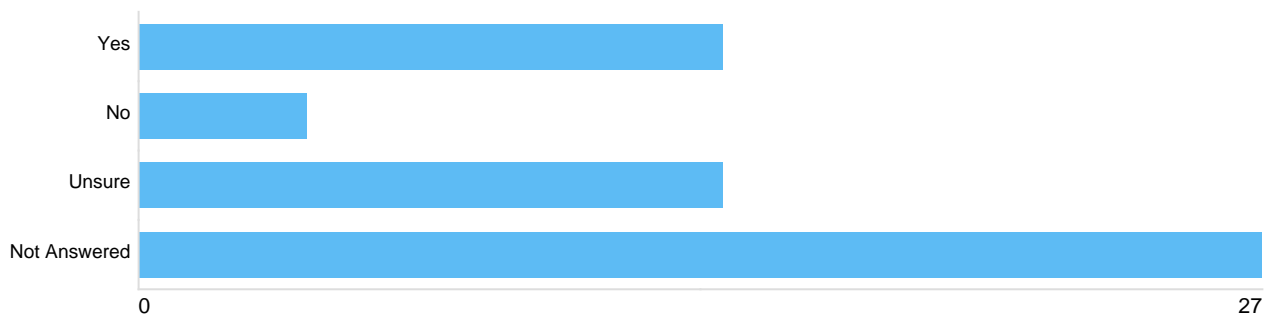
**Question 1.53: If such a regime was established, what is the best way for it to navigate existing registration and licensing requirements?**

***If such regime established, best way for it to navigate existing registration and licensing requirements***

There were **14** responses to this part of the question.

**Question 1.54: Are there alternative options for how we can ensure proper visibility of which businesses require supervision and that all businesses are subject to appropriate fit-and-proper checks?**

***alternative options for how we can ensure proper visibility of which businesses require supervision***



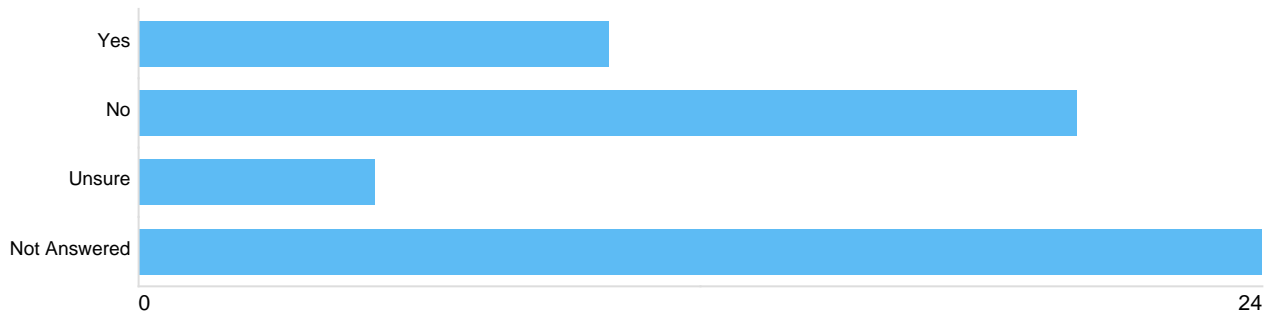
Option	Total	Percent
Yes	14	23.73%
No	4	6.78%
Unsure	14	23.73%
Not Answered	27	45.76%

***Please give reasons for your answer.***

There were **16** responses to this part of the question.

**Question 1.55: Should there also be an AML/CFT licensing regime in addition to a registration regime?**

*Should there also be an AML/CFT licensing regime*



Option	Total	Percent
Yes	10	16.95%
No	20	33.90%
Unsure	5	8.47%
Not Answered	24	40.68%

*Please give reasons for your answer.*

There were 17 responses to this part of the question.

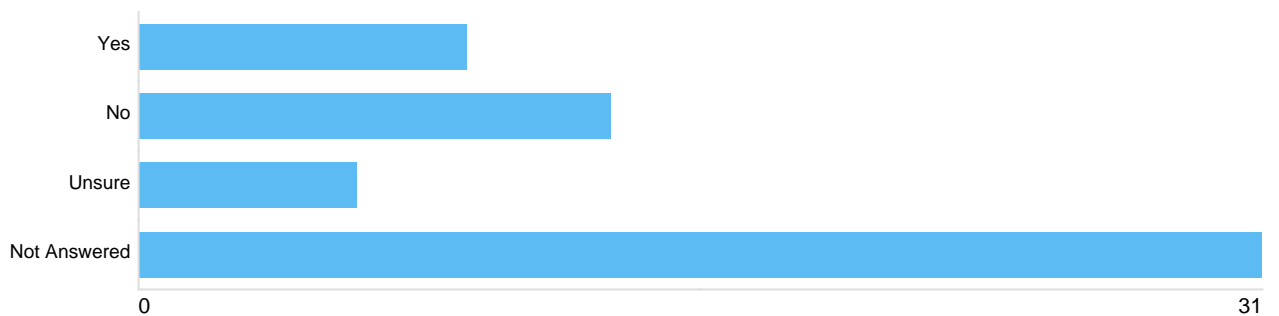
**Question 1.56: If we established an AML/CFT licensing regime, how should it operate? How could we ensure the costs involved are not disproportionate?**

*How should AML licensing regime operate*

There were 16 responses to this part of the question.

**Question 1.57: Should a regime only apply to sectors which have been identified as being highly vulnerable to money laundering and terrorism financing, but are not already required to be licensed?**

*Should regime only apply to vulnerable sectors not already required to be licensed*



Option	Total	Percent
Yes	9	15.25%
No	13	22.03%
Unsure	6	10.17%
Not Answered	31	52.54%

*Please give reasons for your answer.*

There were 16 responses to this part of the question.

**Question 1.58: If such a regime was established, what is the best way for it to navigate existing licensing requirements?**

*Best way for regime to navigate existing licensing requirements*

There were 13 responses to this part of the question.

**Question 1.59: Would requiring risky businesses to be licensed impact the willingness of other businesses to have them as customers? Can you think of any potential negative flow-on effects?**

*Potential negative flow-on effects*

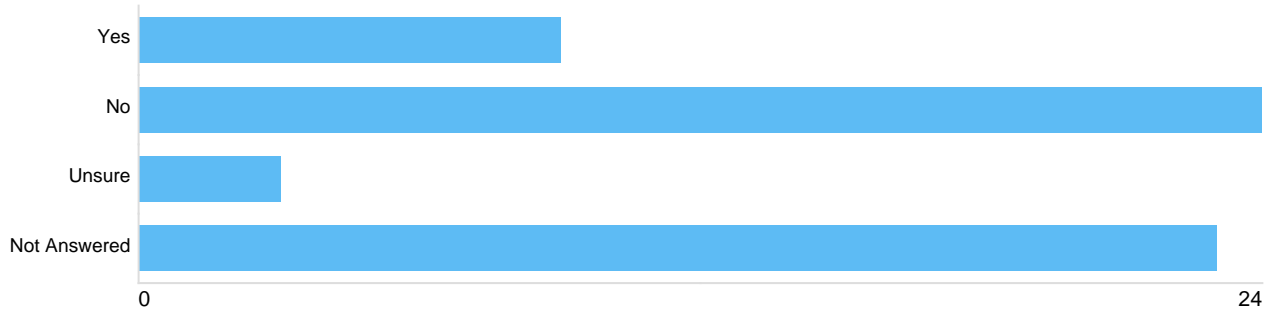
There were 17 responses to this part of the question.

**Question 1.60: Would you support a levy being introduced for the AML/CFT regime to pay for the operating costs of an AML/CFT registration and/or licensing regime?**

*Please give reasons for your answer.*

There were 27 responses to this part of the question.

**Support introducing levy to pay for operating costs**



Option	Total	Percent
Yes	9	15.25%
No	24	40.68%
Unsure	3	5.08%
Not Answered	23	38.98%

**Question 1.61: If we developed a levy, who do you think should pay the levy (some or all reporting entities)?**

*Who should pay for a levy*

There were 25 responses to this part of the question.

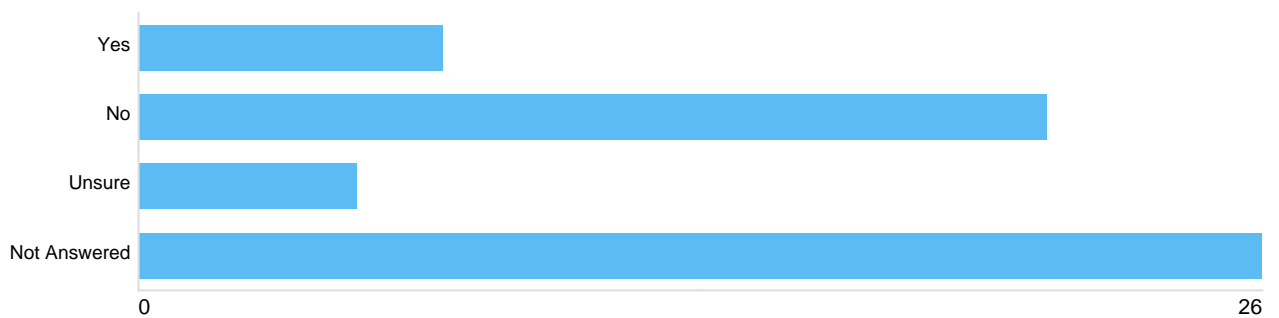
**Question 1.62: Should all reporting entities pay the same amount, or should the amount be calculated based on, for example, the size of the business, their risk profile, how many reports they make, or some other factor?**

*Should all reporting entities pay the same amount*

There were 27 responses to this part of the question.

**Question 1.63: Should the levy also cover some or all of the operating costs of the AML/CFT regime more broadly, and thereby enable the regime to be more flexible and responsive?**

*Should levy cover broader costs of AML regime*



Option	Total	Percent
Yes	7	11.86%
No	21	35.59%
Unsure	5	8.47%
Not Answered	26	44.07%

*Please give reasons for your answer.*

There were 16 responses to this part of the question.

**Question 1.64: If the levy paid for some or all of the operating costs, how would you want to see the regime's operation improved?**

*If levy paid for operating costs how would want to see regime's operations improved*

There were 15 responses to this part of the question.

**Question 2.1: How should the Act determine whether an activity is captured, particularly for Designated Non-Financial Businesses and Professions (DNFBPs)?**

**How should Act determine whether activity is captured**

There were 18 responses to this part of the question.

**Should Act prescribe how something is in ordinary course of business**



Option	Total	Percent
Yes	21	35.59%
No	7	11.86%
Unsure	2	3.39%
Not Answered	29	49.15%

**Please give reasons for your answer.**

There were 17 responses to this part of the question.

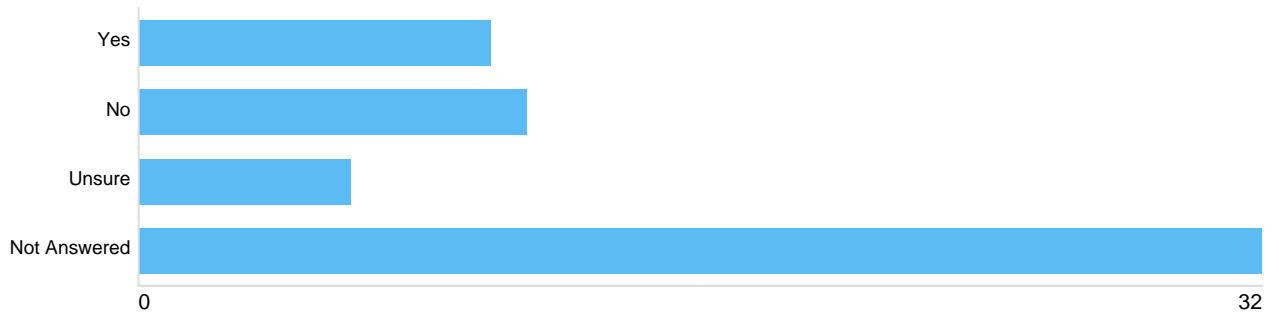
**Question 2.2: If 'ordinary course of business' was amended to provide greater clarity, particularly for DFNBPs, how should it be articulated?**

**How should ordinary course of business be articulated**

There were 10 responses to this part of the question.

**Question 2.3: Should 'ordinary' be removed?**

**Should 'ordinary' be removed**



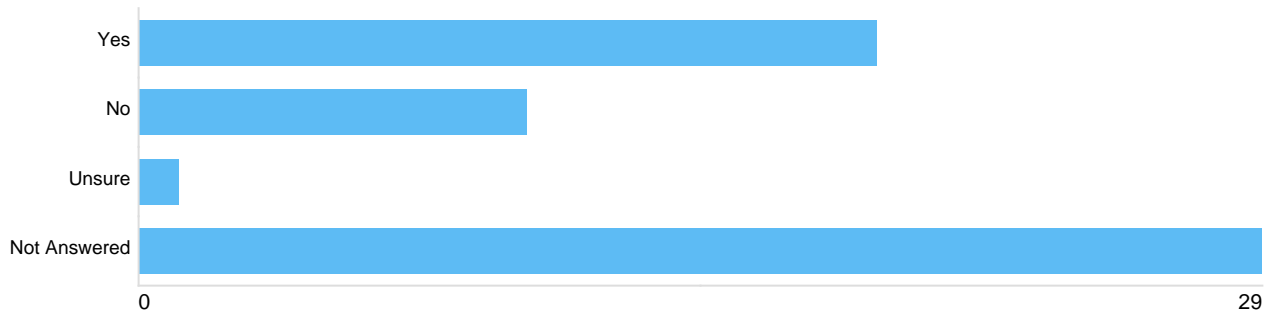
Option	Total	Percent
Yes	10	16.95%
No	11	18.64%
Unsure	6	10.17%
Not Answered	32	54.24%

**If so, how could we provide some regulatory relief for businesses which provide activities infrequently? Are there unintended consequences that may result? Please share your comments below.**

There were 8 responses to this part of the question.

**Question 2.4: Should businesses be required to apply AML/CFT measures in respect of captured activities, irrespective of whether the business is a financial institution or a DNFBP?**

*Should businesses be required to apply AML measures whether financial institution or DNFBP*



Option	Total	Percent
Yes	19	32.20%
No	10	16.95%
Unsure	1	1.69%
Not Answered	29	49.15%

*Please give reasons for your answer.*

There were 12 responses to this part of the question.

**Question 2.5: If you answered yes to the previous question (Question 2.4), should we remove 'only to the extent' from section 6(4)?**

*Should we remove 'only to the extent' from section 6(4)*



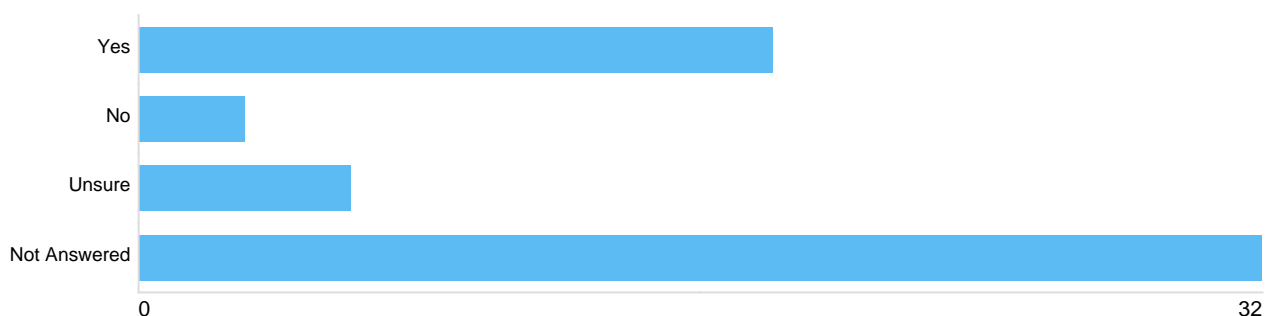
Option	Total	Percent
Yes	9	15.25%
No	4	6.78%
Unsure	9	15.25%
Not Answered	37	62.71%

*Would anything else need to change, e.g. to ensure the application of the Act is not inadvertently expanded? Please share your comments below.*

There were 4 responses to this part of the question.

**Question 2.6: Should we issue regulations to clarify that captured activities attract AML/CFT obligations irrespective of the type of reporting entity which provides those activities?**

*Clarify captured activities attract AML obligations regardless of reporting entity*



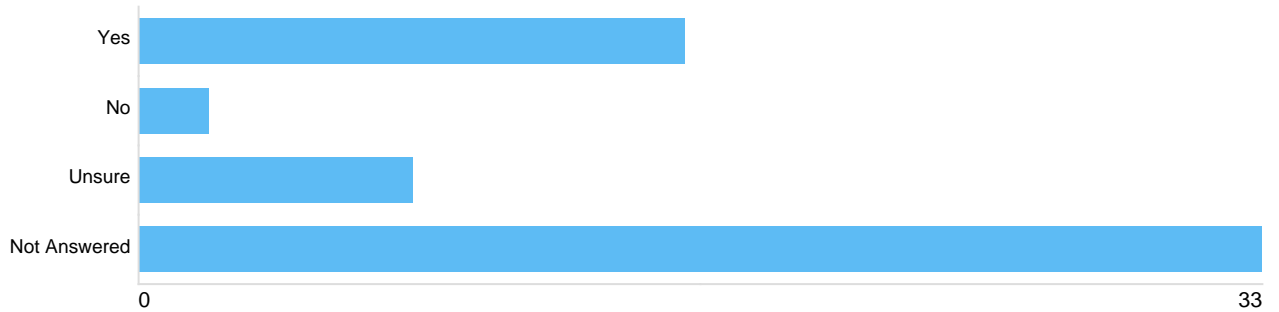
Option	Total	Percent
Yes	18	30.51%
No	3	5.08%
Unsure	6	10.17%
Not Answered	32	54.24%

**Please give reasons for your answer.**

There were 10 responses to this part of the question.

**Question 2.7: Should we remove the overlap between 'managing client funds' and other financial institution activities?**

**Remove overlap between managing client funds and other activities**



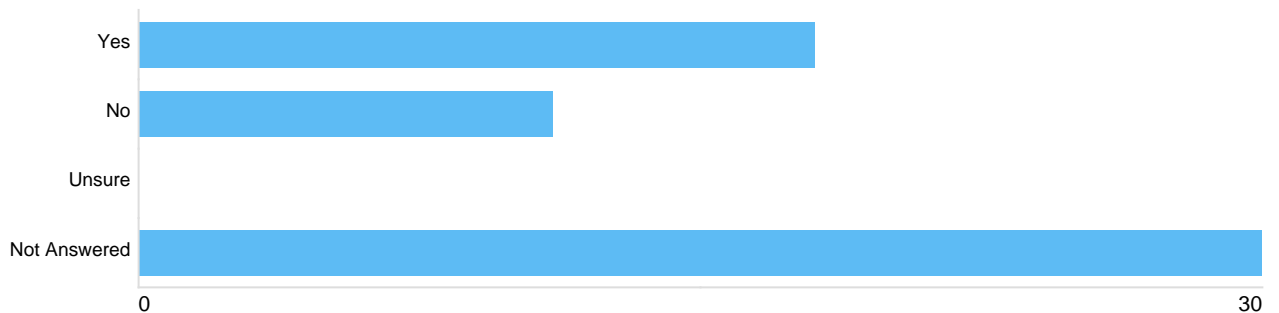
Option	Total	Percent
Yes	16	27.12%
No	2	3.39%
Unsure	8	13.56%
Not Answered	33	55.93%

**If you answered 'yes', how could we best do this to avoid any obligations being duplicated for the same activity? Please share your comments below.**

There were 12 responses to this part of the question.

**Question 2.8: Should we clarify what is meant by 'professional fees'?**

**Clarify what is meant by professional fees**



Option	Total	Percent
Yes	18	30.51%
No	11	18.64%
Unsure	0	0.00%
Not Answered	30	50.85%

**If you answered 'yes', what would be an appropriate definition? Please share your comments below.**

There were 11 responses to this part of the question.

**Question 2.9: Should the fees of a third party be included within the scope of 'professional fees'?**

*Should third party fees be included in 'professional fees'*



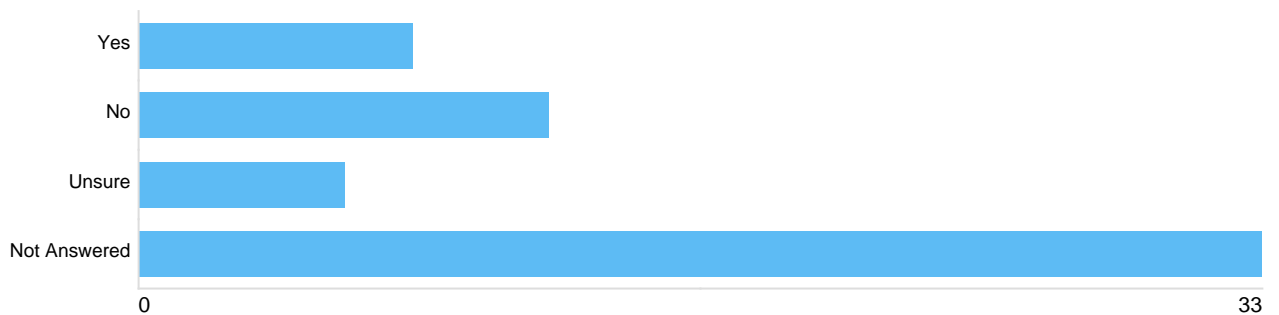
Option	Total	Percent
Yes	18	30.51%
No	7	11.86%
Unsure	4	6.78%
Not Answered	30	50.85%

**Please give reasons for your answer.**

There were 14 responses to this part of the question.

**Question 2.10: Does the current definition appropriately capture those businesses which are involved with a particular activity, including the operation and management of legal persons and arrangements?**

*Does current definition capture businesses involved with a particular activity*



Option	Total	Percent
Yes	8	13.56%
No	12	20.34%
Unsure	6	10.17%
Not Answered	33	55.93%

**Please give reasons for your answer.**

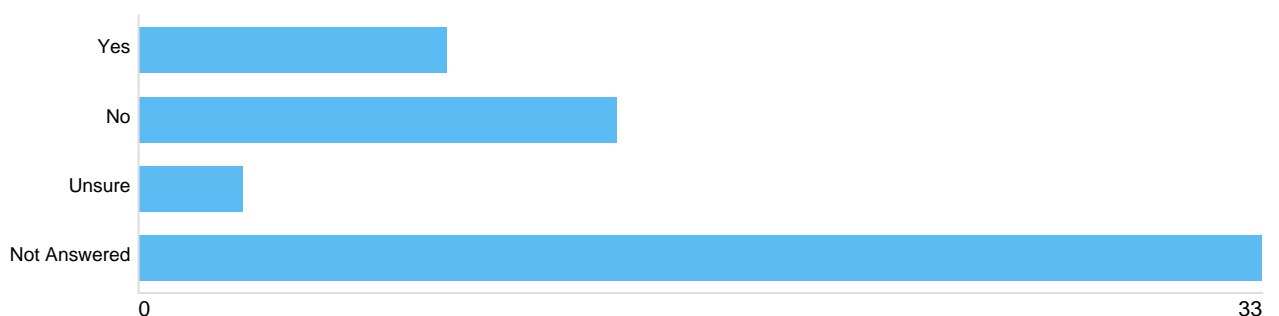
There were 12 responses to this part of the question.

**How could it be improved?**

There were 6 responses to this part of the question.

**Question 2.11: Have you faced any challenges with interpreting the activity of 'engaging in or giving instructions'?**

*Challenges interpreting activity of engaging in or giving instructions*





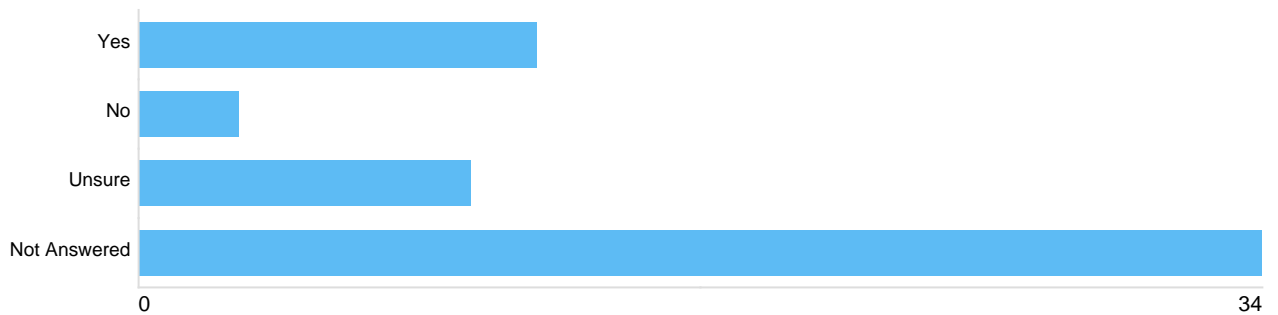
Option	Total	Percent
Yes	9	15.25%
No	14	23.73%
Unsure	3	5.08%
Not Answered	33	55.93%

***If you answered 'yes', what are those challenges and how could we address them?***

There were 9 responses to this part of the question.

**Question 2.12: Should the terminology in the definition of financial institution be better aligned with the meaning of financial service provided in section 5 of the Financial Service Providers (Registration and Dispute Resolution) Act 2008?**

***Should terminology of financial institution be better aligned with meaning of financial service***



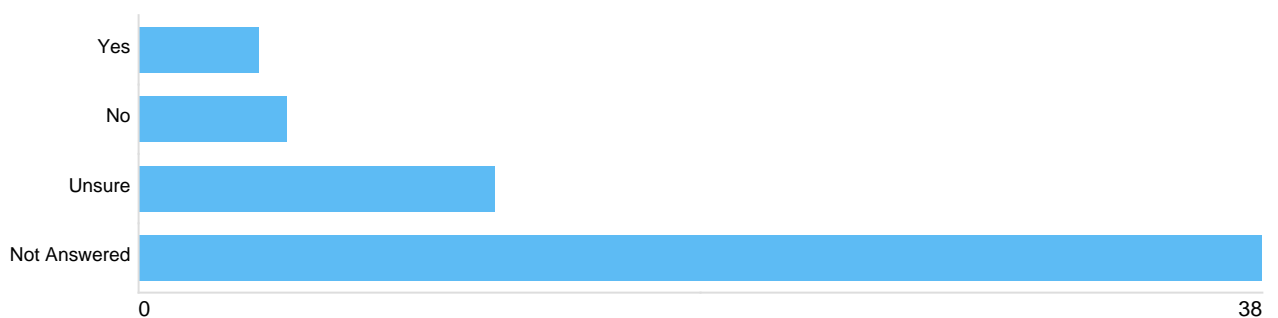
Option	Total	Percent
Yes	12	20.34%
No	3	5.08%
Unsure	10	16.95%
Not Answered	34	57.63%

***If you answered yes, how could we achieve this?***

There were 9 responses to this part of the question.

**Question 2.13: Are there other elements of the definition of financial institution that cause uncertainty and confusion about the Act's operation?**

***Other elements of definition financial institution causing uncertainty and confusion***



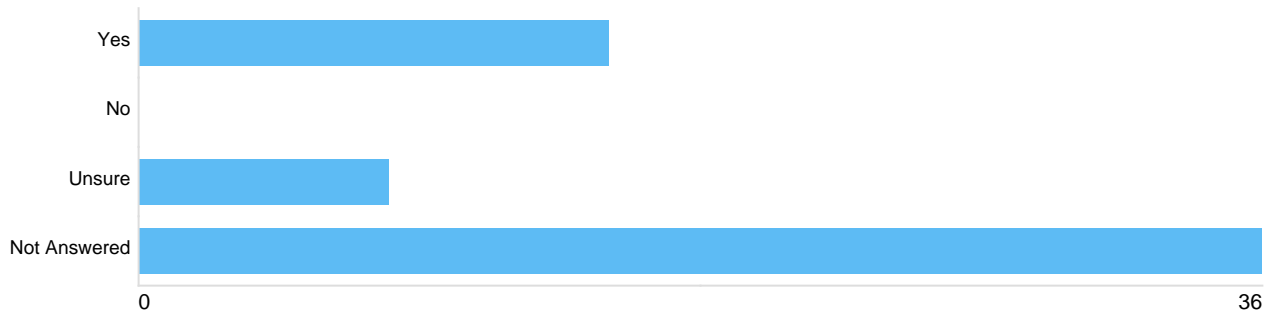
Option	Total	Percent
Yes	4	6.78%
No	5	8.47%
Unsure	12	20.34%
Not Answered	38	64.41%

***If you answered 'yes', please give details:***

There were 3 responses to this part of the question.

**Question 2.14: Should the definition of high-value dealer be amended so businesses which deal in high value articles are high-value dealers irrespective of how frequently they undertake relevant cash transactions?**

***Should high-dealer definition be amended to include all businesses dealing in high value articles***



Option	Total	Percent
Yes	15	25.42%
No	0	0.00%
Unsure	8	13.56%
Not Answered	36	61.02%

***Please give reasons for your answer.***

There were **9** responses to this part of the question.

***Can you think of any unintended consequences that might occur?***

There were **5** responses to this part of the question.

**Question 2.15: What do you anticipate would be the compliance impact of this change?**

***Compliance impact of change***

There were **7** responses to this part of the question.

**Question 2.16: Should we revoke the exclusion for pawnbrokers to ensure they can manage their money laundering and terrorism financing risks?**

***Revoke exclusion for pawnbrokers***



Option	Total	Percent
Yes	11	18.64%
No	4	6.78%
Unsure	7	11.86%
Not Answered	37	62.71%

***Please give reasons for your answer.***

There were **8** responses to this part of the question.

**Question 2.17: Given there is an existing regime for pawnbrokers, what obligations should we avoid duplicating to avoid unnecessary compliance costs?**

***Obligations to avoid duplicating with existing regime for pawnbrokers***

There were **7** responses to this part of the question.

**Question 2.18: Should we lower the applicable threshold for high value dealers to enable better intelligence about cash transactions?**

***Lower applicable threshold for high value dealers***



Option	Total	Percent
Yes	5	8.47%
No	9	15.25%
Unsure	7	11.86%
Not Answered	38	64.41%

***Please give reasons for your answer.***

There were 11 responses to this part of the question.

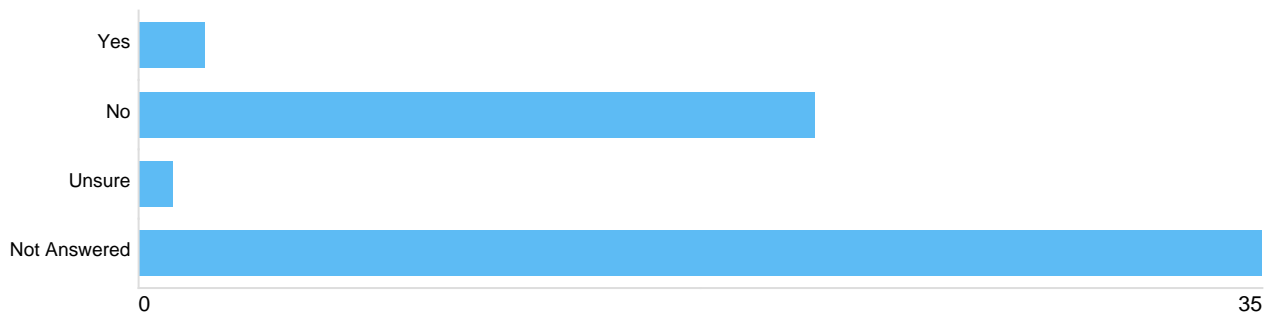
**Question 2.19: If you answered 'yes' to the previous question (Question 2.18), what would be the appropriate threshold? How many additional transactions would be captured? Would you stop using or accepting cash for these transactions to avoid AML/CFT obligations?**

***What would be appropriate threshold, stop using or accepting cash***

There were 5 responses to this part of the question.

**Question 2.20: Do you currently engage in any transactions involving stores of value that are not portable devices (e.g. digital stored value instruments)?**

***Currently engage in transactions not portable devices***



Option	Total	Percent
Yes	2	3.39%
No	21	35.59%
Unsure	1	1.69%
Not Answered	35	59.32%

***If you answered 'yes', what is the nature and value of those transactions?***

There were 3 responses to this part of the question.

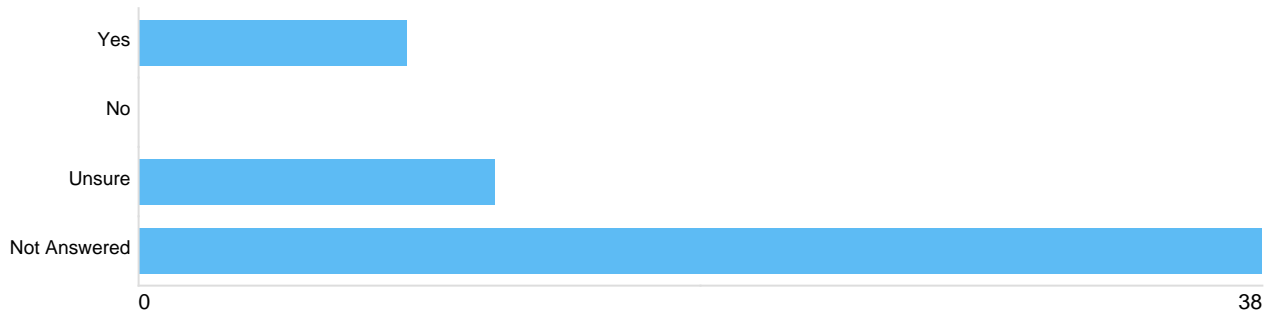
**Question 2.21: What risks do you see with stored value instruments that do not use portable devices?**

***Risks with stored value instruments not using portable devices***

There were 4 responses to this part of the question.

**Question 2.22: Should we amend the definition of “stored value instruments” to be neutral as to the technology involved?**

***Change definition of stored value instructions to be neutral as to technology***



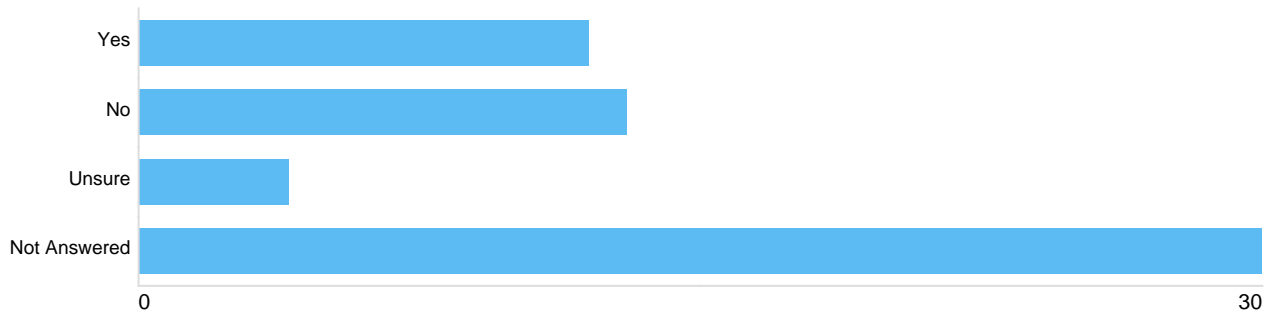
Option	Total	Percent
Yes	9	15.25%
No	0	0.00%
Unsure	12	20.34%
Not Answered	38	64.41%

***If you answered 'yes', how should we change the definition? Please share your comments below.***

There were 4 responses to this part of the question.

**Question 2.23: Should acting as a secretary of a company, partner in a partnership, or equivalent position in other legal persons and arrangements attract AML/CFT obligations?**

***Should acting as secretary, partner attract AML obligations***



Option	Total	Percent
Yes	12	20.34%
No	13	22.03%
Unsure	4	6.78%
Not Answered	30	50.85%

***Please give reasons for your answer.***

There were 17 responses to this part of the question.

**Question 2.24: If you are a business which provides this type of activity, what do you estimate the potential compliance costs would be for your business if it attracted AML/CFT obligations?**

***Estimated AML compliance costs for your business***

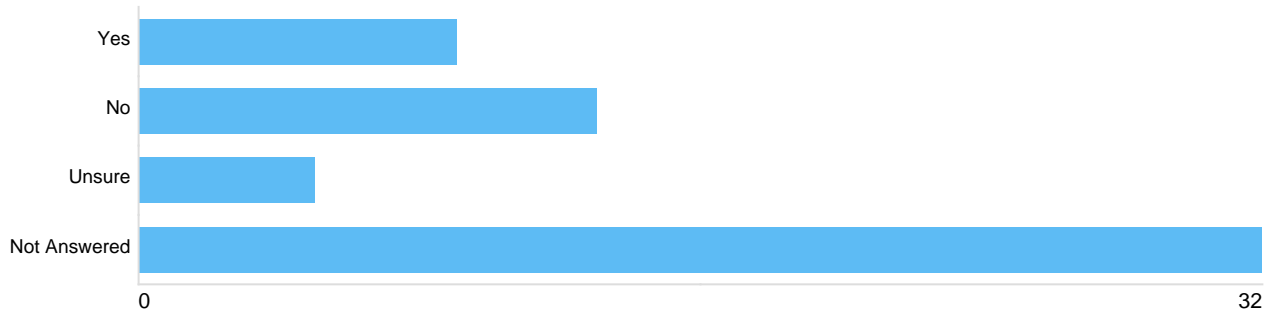
There were 9 responses to this part of the question.

***How many companies or partnerships do you provide these services for?***

There were 8 responses to this part of the question.

**Question 2.25: Should criminal defence lawyers have AML/CFT obligations?**

*Should criminal defence lawyers have AML obligations*



Option	Total	Percent
Yes	9	15.25%
No	13	22.03%
Unsure	5	8.47%
Not Answered	32	54.24%

*If you answered 'yes', what should those obligations be and why?*

There were 11 responses to this part of the question.

**Question 2.26: If you are a criminal defence lawyer, have you noticed any potentially suspicious activities?**

*Noticed any criminal defence suspicious activities*



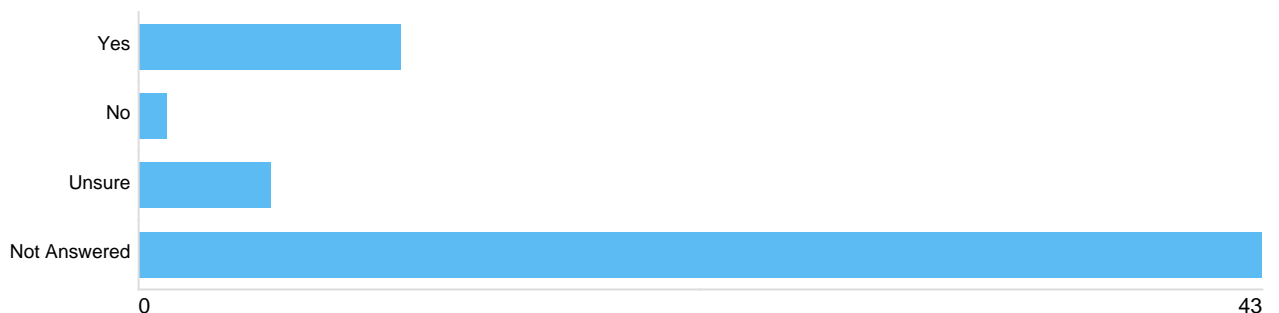
Option	Total	Percent
Yes	1	1.69%
No	0	0.00%
Unsure	8	13.56%
Not Answered	50	84.75%

*If you answered 'yes', without breaching legal privilege, what were those activities and what did you do about them?*

There were 2 responses to this part of the question.

**Question 2.27: Are there any unintended consequences that may arise from requiring criminal defence lawyers to have limited AML/CFT obligations, that we will need to be aware of?**

*Unintended consequences from criminal defence lawyers having limited AML obligations*



Option	Total	Percent
Yes	10	16.95%
No	1	1.69%
Unsure	5	8.47%
Not Answered	43	72.88%

**If you answered 'yes', please give details:**

There were 11 responses to this part of the question.

**Question 2.28: Should non-life insurance companies become reporting entities under the Act?**

*non-life insurance companies become reporting entities under Act*



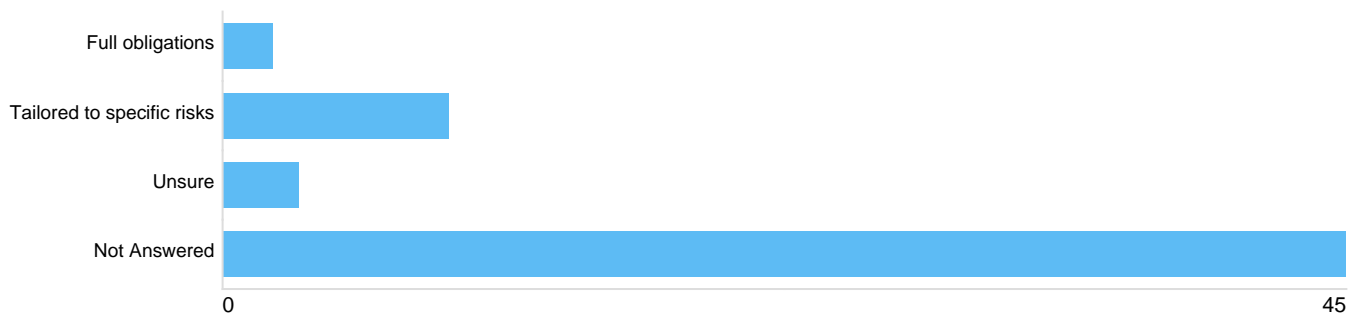
Option	Total	Percent
Yes	10	16.95%
No	9	15.25%
Unsure	5	8.47%
Not Answered	35	59.32%

**Please give reasons for your answer.**

There were 9 responses to this part of the question.

**Question 2.29: If you answered 'yes' to the previous question (Question 2.28), should non-life insurance companies have full obligations, or should they be tailored to the specific risks we have identified?**

*Should non-life insurance companies have full obligations or tailored*



Option	Total	Percent
Full obligations	2	3.39%
Tailored to specific risks	9	15.25%
Unsure	3	5.08%
Not Answered	45	76.27%

**Please give reasons for your answer.**

There were 4 responses to this part of the question.

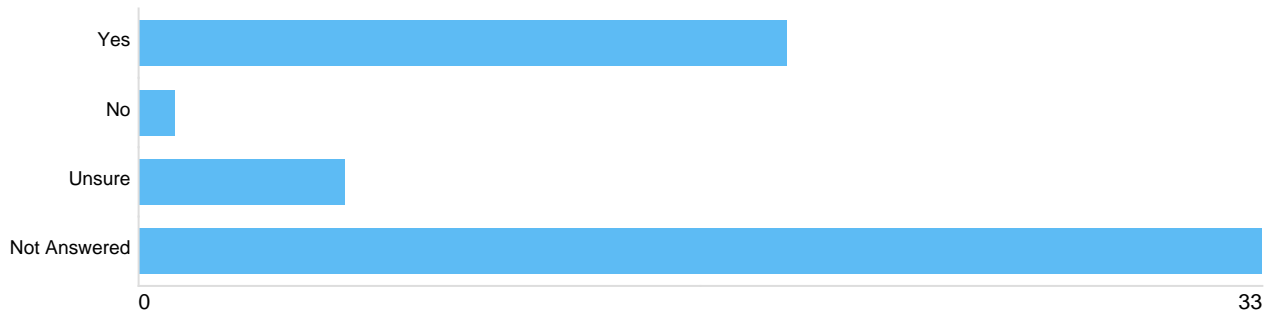
**Question 2.30: If you are a non-life insurance business, what do you estimate would be the costs of having AML/CFT obligations (including limited obligations)?**

*Cost of non-life insurance business having AML obligations*

There were 2 responses to this part of the question.

**Question 2.31: Should we use regulations to ensure that all types of virtual asset service providers have AML/CFT obligations, including by declaring wallet providers which only provide safekeeping or administration are reporting entities?**

*Should all virtual asset service providers have AML obligations*



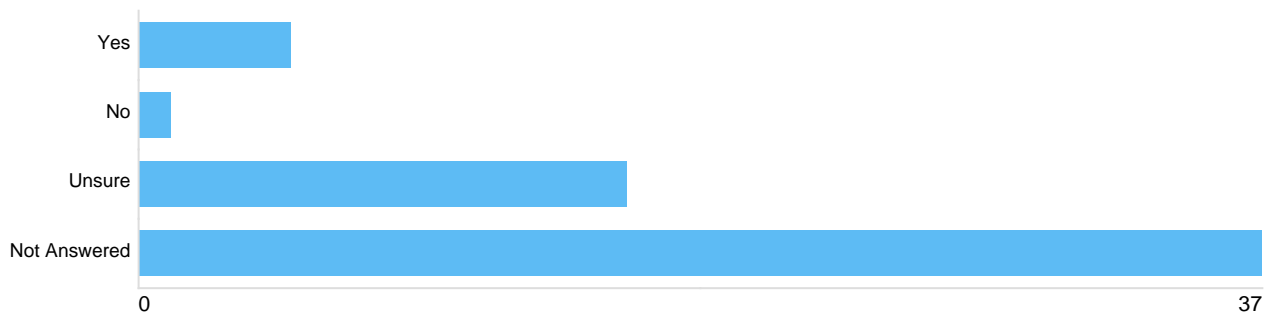
Option	Total	Percent
Yes	19	32.20%
No	1	1.69%
Unsure	6	10.17%
Not Answered	33	55.93%

*If you answered 'yes', how should we do this?*

There were 11 responses to this part of the question.

**Question 2.32: Would issuing regulations for this purpose change the scope of capture for virtual asset service providers which are currently captured by the AML/CFT regime?**

*Would issuing regulations for this purpose change scope of capture*



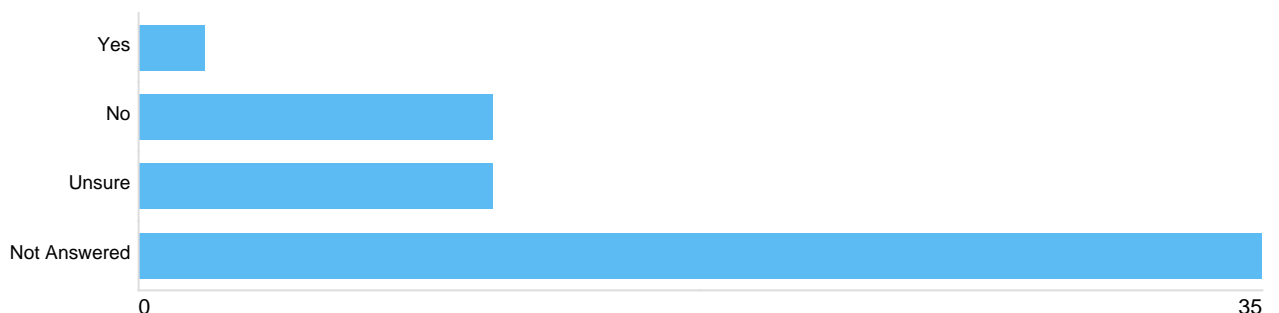
Option	Total	Percent
Yes	5	8.47%
No	1	1.69%
Unsure	16	27.12%
Not Answered	37	62.71%

*If you answered 'yes', please give reasons for your answer.*

There was 1 response to this part of the question.

**Question 2.33: Is the Act sufficiently clear that preparing or processing invoices can be captured in certain circumstances?**

*Is Act clear that preparing invoices can be captured*



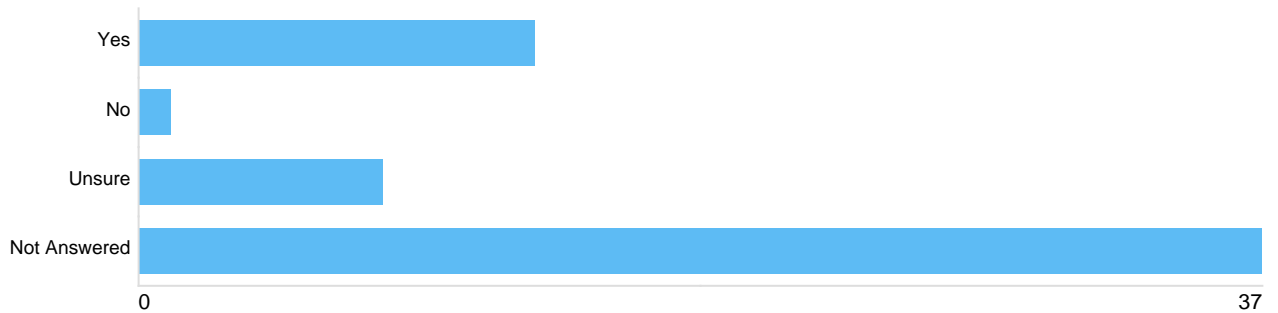
Option	Total	Percent
Yes	2	3.39%
No	11	18.64%
Unsure	11	18.64%
Not Answered	35	59.32%

*If you answered 'no', please give reasons for your answer.*

There were **8** responses to this part of the question.

**Question 2.34: If we clarified the activity, should we also clarify what obligations businesses should have?**

*Should clarify what obligations businesses should have*



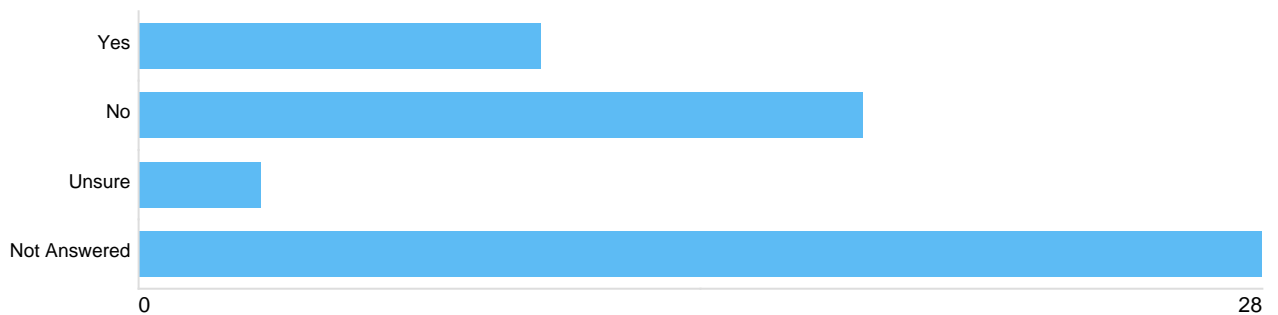
Option	Total	Percent
Yes	13	22.03%
No	1	1.69%
Unsure	8	13.56%
Not Answered	37	62.71%

*If you answered 'yes', what obligations would be appropriate?*

There were **6** responses to this part of the question.

**Question 2.35: Should preparing accounts and tax statements attract AML/CFT obligations?**

*Should preparing accounts attract AML obligations*



Option	Total	Percent
Yes	10	16.95%
No	18	30.51%
Unsure	3	5.08%
Not Answered	28	47.46%

*Please give reasons for your answer.*

There were **19** responses to this part of the question.

**Question 2.36: If you answered 'yes' to the previous question (Question 2.35), what would be the appropriate obligations for businesses which provide these services?**

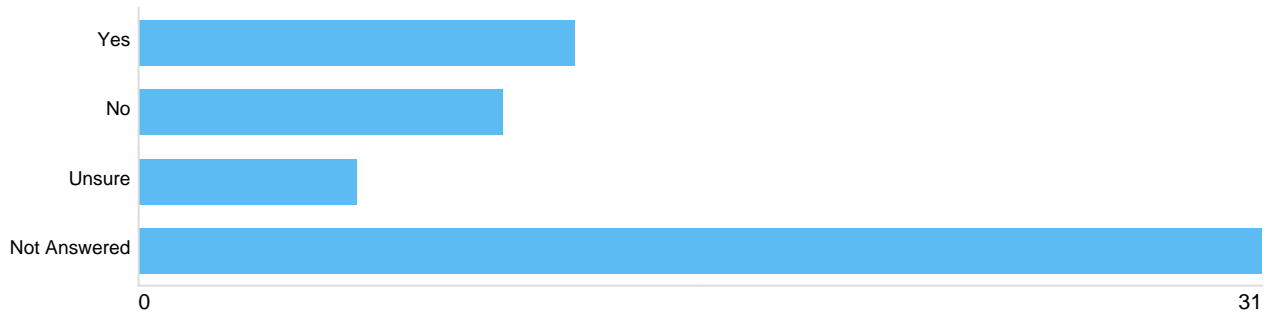
*Appropriate obligations for businesses providing accounts services*

There were **7** responses to this part of the question.



**Question 2.37: Should tax-exempt non-profits and non-resident tax charities be included within the scope of the AML/CFT Act given their vulnerabilities to being misused for terrorism financing?**

*Should tax-exempt profits and non-resident tax charities be included*



Option	Total	Percent
Yes	12	20.34%
No	10	16.95%
Unsure	6	10.17%
Not Answered	31	52.54%

*Please give reasons for your answer.*

There were **19** responses to this part of the question.

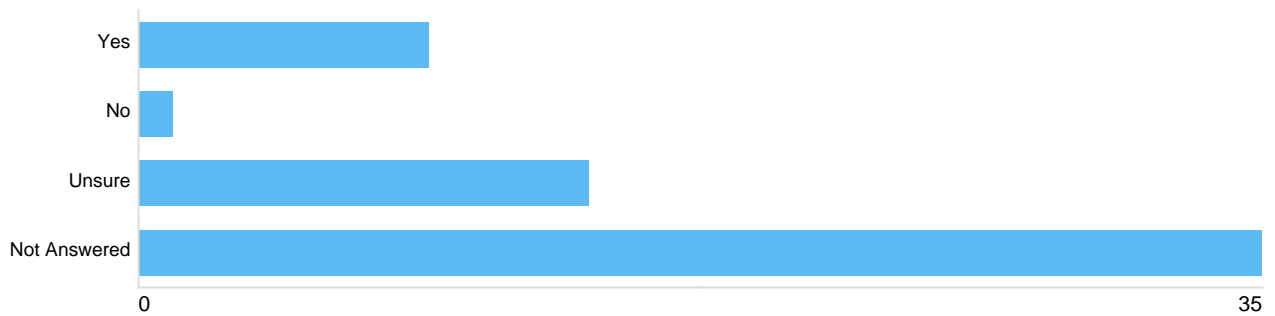
**Question 2.38: If these non-profit organisations were included, what should their obligations be?**

*What should non-profit organisations obligations be*

There were **12** responses to this part of the question.

**Question 2.39: Are there any other regulatory or class exemptions that need to be revisited, e.g. because they no longer reflect situations of proven low risk or because there are issues with their operation?**

*Any regulatory or class exemptions need to be revisited*



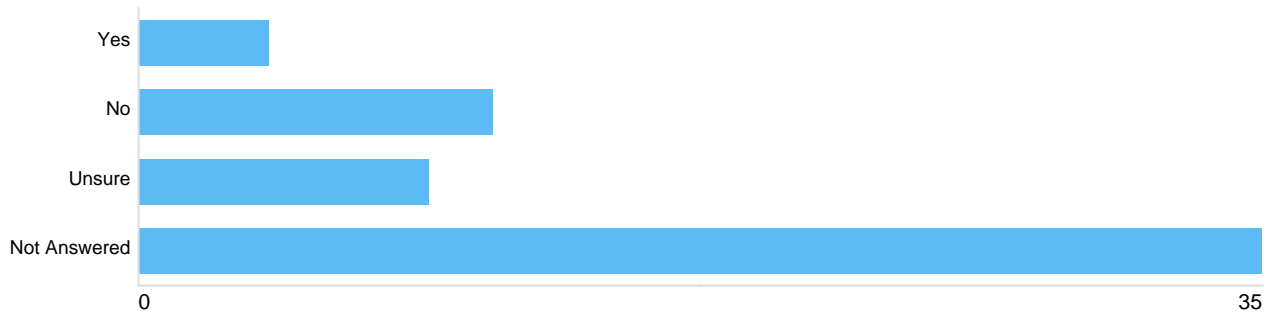
Option	Total	Percent
Yes	9	15.25%
No	1	1.69%
Unsure	14	23.73%
Not Answered	35	59.32%

*If you answered 'yes', please share your suggestions.*

There were **8** responses to this part of the question.

**Question 2.40: Should the exemption for internet auctions still apply, and are the settings correct in terms of a wholesale exclusion of all activities?**

***Should exemption for internet auctions still apply***



Option	Total	Percent
Yes	4	6.78%
No	11	18.64%
Unsure	9	15.25%
Not Answered	35	59.32%

***If you answered 'no', please give reasons for your answer.***

There were **10** responses to this part of the question.

**Question 2.41: If it should continue to apply, should online marketplaces be within scope of the exemption?**

***Should online marketplaces be within scope of exemption***



Option	Total	Percent
Yes	9	15.25%
No	5	8.47%
Unsure	8	13.56%
Not Answered	37	62.71%

***Please give reasons for your answer.***

There were **5** responses to this part of the question.

**Question 2.42: What risks do you see involving internet marketplaces or internet auctions?**

***Risks of involving internet marketplaces or auctions***

There were **11** responses to this part of the question.

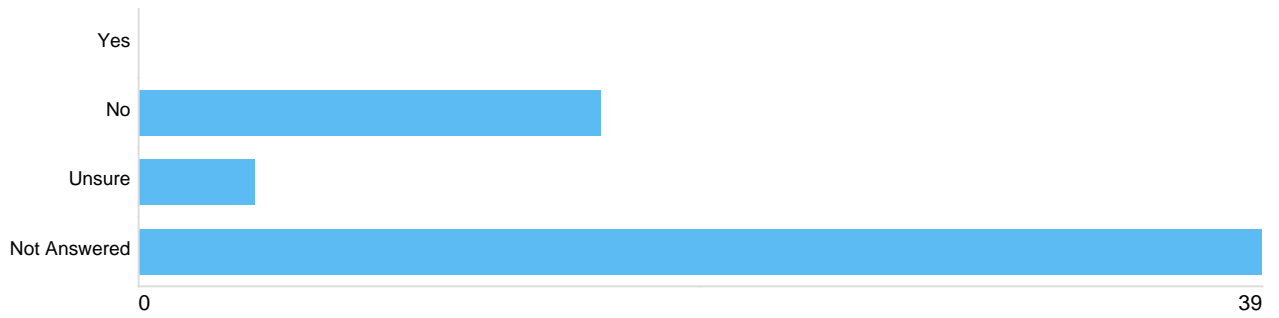
**Question 2.43: If we were to no longer exclude online marketplaces or internet auction providers from the Act, what should the scope of their obligations be? What would be the cost and impact of that change?**

***Scope and impact of including online marketplaces and auctions***

There were **7** responses to this part of the question.

**Question 2.44: Do you currently rely on this regulatory exemption to offer special remittance card facilities?**

*Rely on regulatory exemption to offer special card facilities*



Option	Total	Percent
Yes	0	0.00%
No	16	27.12%
Unsure	4	6.78%
Not Answered	39	66.10%

*If you answered 'yes', how many facilities do you offer to how many customers?*

There was 1 response to this part of the question.

**Question 2.45: Is the exemption workable or are changes needed to improve its operation?**

*Are changes needed to improve exemption operation*

There were 3 responses to this part of the question.

*What would be the impact on compliance costs from those changes?*

There were 3 responses to this part of the question.

**Question 2.46: Do you consider the exemption properly mitigates any risks of money laundering or terrorism financing through its conditions?**

*Does exemption properly mitigate risks of money laundering*



Option	Total	Percent
Yes	2	3.39%
No	0	0.00%
Unsure	10	16.95%
Not Answered	47	79.66%

*If you answered 'yes', please give reasons for your answer.*

There were 3 responses to this part of the question.

**Question 2.47: Should we amend this regulatory exemption to clarify whether and how it applies to DNFBPs?**

*Should amend exemption to clarify how it applies to DNFBPs*



Option	Total	Percent
Yes	9	15.25%
No	3	5.08%
Unsure	8	13.56%
Not Answered	39	66.10%

*If you answered 'yes', please share your suggestions.*

There were 6 responses to this part of the question.

**Question 2.48: Should we issue any new regulatory exemptions?**

*Should issue new regulatory exemptions*



Option	Total	Percent
Yes	8	13.56%
No	5	8.47%
Unsure	6	10.17%
Not Answered	40	67.80%

*If you answered 'yes', please share your suggestions.*

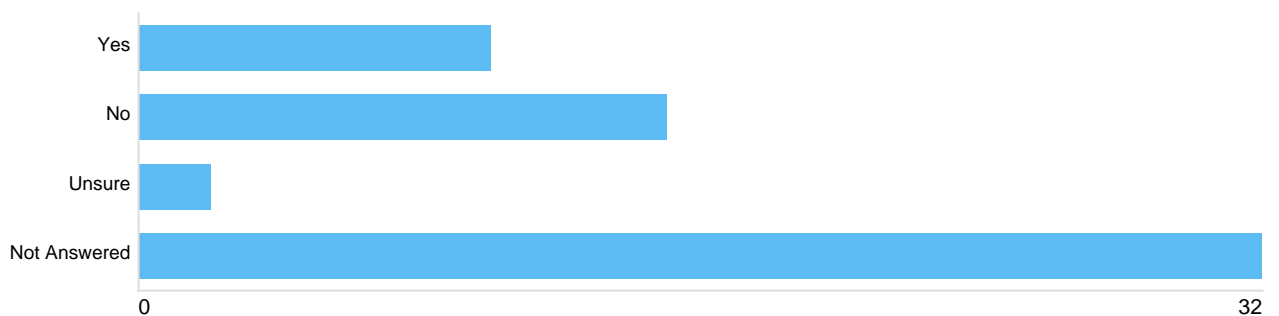
There were 7 responses to this part of the question.

*Are there any areas where Ministerial exemptions have been granted where a regulatory exemption should be issued instead?*

There were 4 responses to this part of the question.

**Question 2.49: Do you currently use a company to provide trustee or nominee services?**

*Do you use a company to provide trustee services*



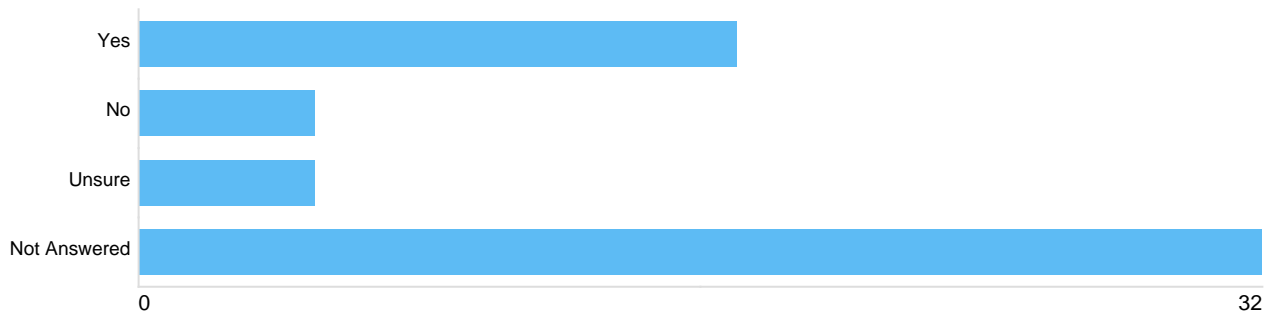
Option	Total	Percent
Yes	10	16.95%
No	15	25.42%
Unsure	2	3.39%
Not Answered	32	54.24%

***If you answered 'yes', why do you use them, and how many do you use? What is the ownership and control structure for those companies?***

There were 11 responses to this part of the question.

**Question 2.50: Should we issue a new regulatory exemption to exempt legal or natural persons that act as trustee, nominee director, or nominee shareholder where there is a parent reporting entity involved that is responsible for discharging their AML/CFT obligations?**

***Should issue regulatory exemption for trustees with parent reporting entity responsible for AML***



Option	Total	Percent
Yes	17	28.81%
No	5	8.47%
Unsure	5	8.47%
Not Answered	32	54.24%

***Please give reasons for your answer.***

There were 17 responses to this part of the question.

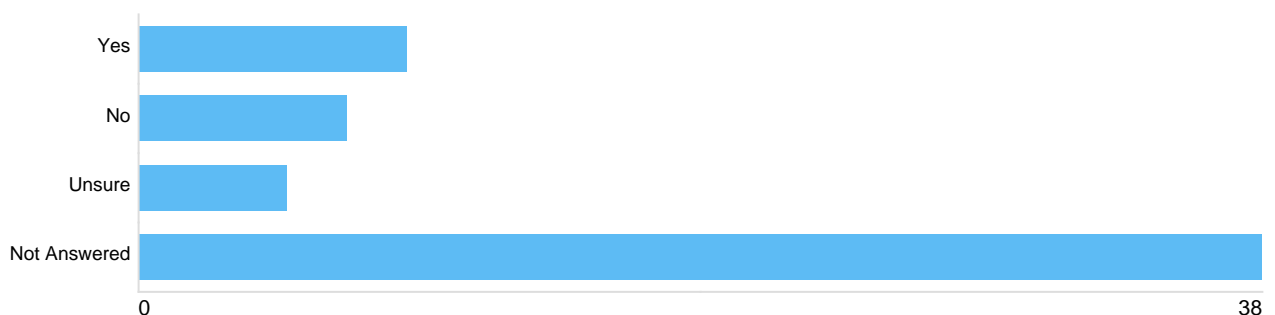
**Question 2.51: If so, what conditions should be attached to such an exemption to ensure it does not raise other money laundering or terrorism financing vulnerabilities?**

***What conditions should be attached to such an exemption***

There were 10 responses to this part of the question.

**Question 2.52: Should we issue a new regulatory exemption to exempt Crown entities, entities acting as agents of the Crown, community trusts, and any other similar entities from AML/CFT obligations?**

***Should we issue new exemption to exempt Crown entities***



Option	Total	Percent
Yes	9	15.25%
No	7	11.86%
Unsure	5	8.47%
Not Answered	38	64.41%

**Please give reasons for your answer.**

There were **9** responses to this part of the question.

**Question 2.53: If you answered 'yes' to the previous question (Question 2.52), what should be the scope of the exemption and possible conditions to ensure it does not raise other money laundering or terrorism financing vulnerabilities?**

**Scope of exemption and conditions**

There were **3** responses to this part of the question.

**Question 2.54: Should we issue an exemption for all reporting entities providing low value loans, particularly where those loans are provided for social or charitable purposes?**

**Should we issue an exemption for all reporting entities providing low value loans**



Option	Total	Percent
Yes	12	20.34%
No	4	6.78%
Unsure	5	8.47%
Not Answered	38	64.41%

**Issue an exemption for all reporting entities providing low value loans**

There were **10** responses to this part of the question.

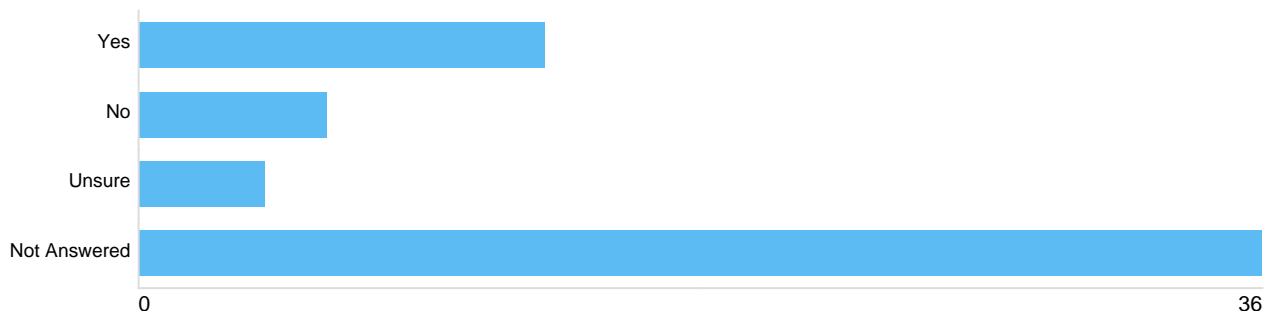
**Question 2.55: If so, what conditions should be attached to such an exemption to ensure it does not raise other money laundering or terrorism financing vulnerabilities?**

**Please share your comments below.**

There were **6** responses to this part of the question.

**Question 2.56: Should the AML/CFT Act define its territorial scope?**

**Should the AML/CFT Act define its territorial scope**



Option	Total	Percent
Yes	13	22.03%
No	6	10.17%
Unsure	4	6.78%
Not Answered	36	61.02%

**Please give reasons for your answer.**

There were 12 responses to this part of the question.

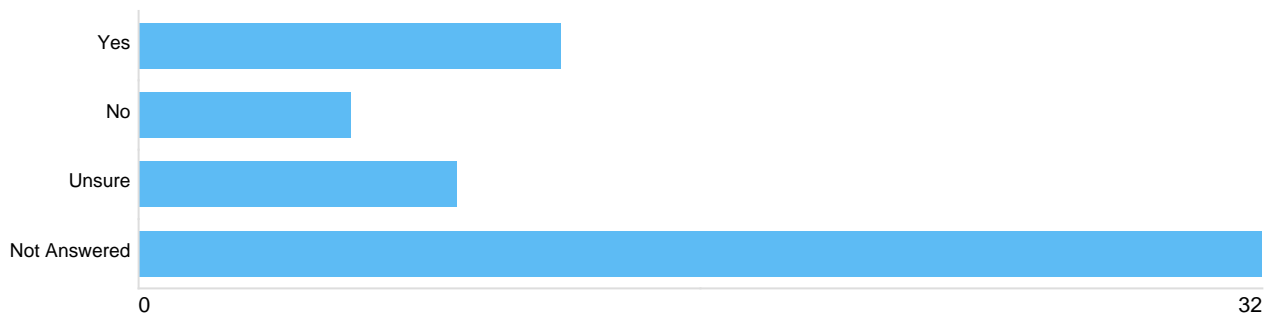
**Question 2.57: If so, how should the Act define a business or activity to be within the Act's territorial scope?**

**how should the Act define a business or activity to be within the Act**

There were 11 responses to this part of the question.

**Question 3.1: Is the AML/CFT supervisory model fit for purpose or should we consider changing it?**

**3.1 fit for purpose**



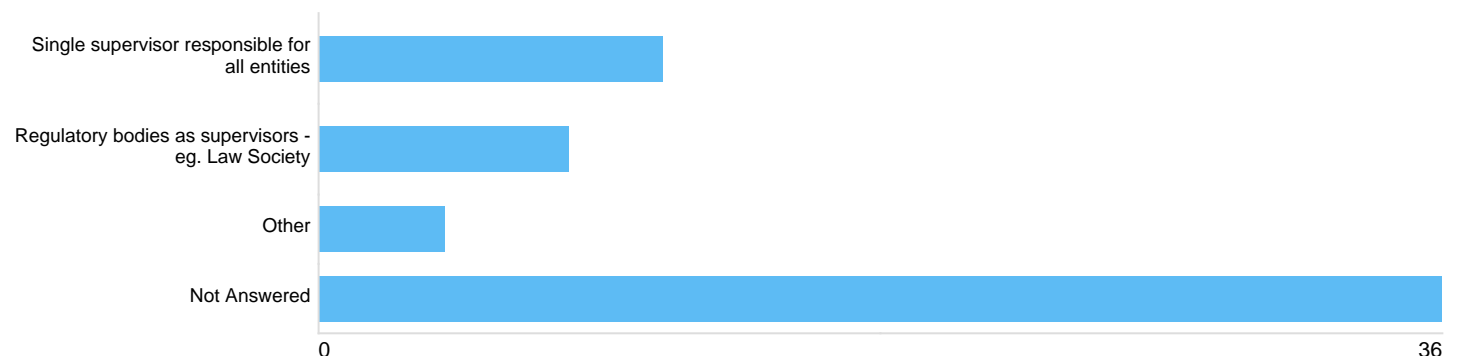
Option	Total	Percent
Yes	12	20.34%
No	6	10.17%
Unsure	9	15.25%
Not Answered	32	54.24%

**3.1 Please indicate why?**

There were 19 responses to this part of the question.

**Question 3.2: If it were to change, what supervisory model do you think would be more effective in a New Zealand context?**

**3.2 If it were to change**



Option	Total	Percent
Single supervisor responsible for all entities	11	18.64%
Regulatory bodies as supervisors - eg. Law Society	8	13.56%
Other	4	6.78%
Not Answered	36	61.02%

**3.2 Please provide context for your choice**

There were 16 responses to this part of the question.

**Question 3.3: Do you think the Act appropriately ensures consistency in the application of the law between the three supervisors? If not, how could inconsistencies in the application of obligations be minimised?**

**3.3 Do you think the Act ensures consistency across the three supervisors**



Option	Total	Percent
Yes	6	10.17%
No	12	20.34%
Not Answered	41	69.49%

**3.3 Please provide options for how inconsistencies in the application of obligations could be minimised**

There were 11 responses to this part of the question.

**Question 3.4: Does the Act achieve the appropriate balance between ensuring consistency and allowing supervisors to be responsive to sectoral needs? If not, what mechanisms could be included in legislation to achieve a more appropriate balance?**

**3.4 Balance between consistency and responsiveness to sectors**



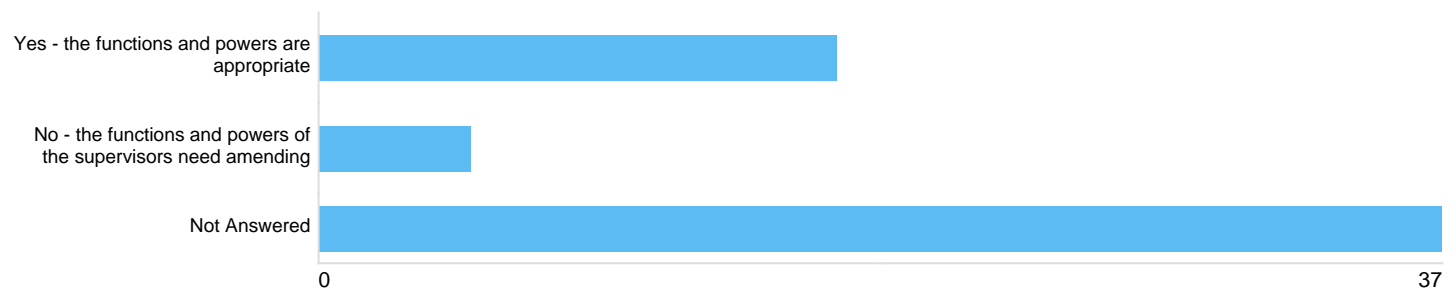
Option	Total	Percent
Yes	4	6.78%
No	12	20.34%
Not Answered	43	72.88%

**If not, what mechanisms could be included to achieve balance**

There were 8 responses to this part of the question.

**Question 3.5: Are the statutory functions and powers of the supervisors appropriate or do they need amending? If so, why?**

**3.5 Are the statutory functions and powers**



Option	Total	Percent
Yes - the functions and powers are appropriate	17	28.81%
No - the functions and powers of the supervisors need amending	5	8.47%
Not Answered	37	62.71%

**3.5 If so, why are the statutory functions and powers of the supervisors not appropriate**

There were 3 responses to this part of the question.

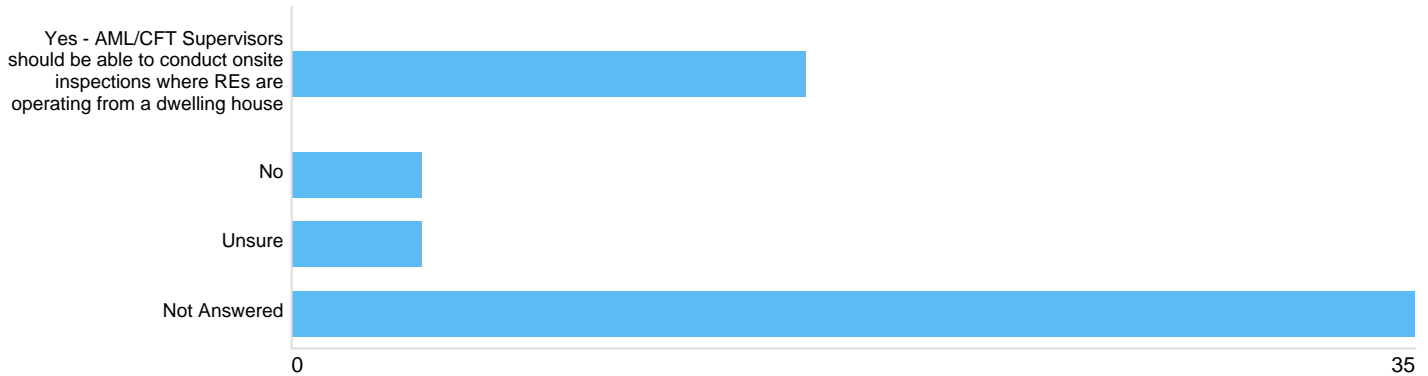


**3.5 What amendments are required**

There were 2 responses to this part of the question.

**Question 3.6: Should AML/CFT Supervisors have the power to conduct onsite inspections of REs operating from a dwelling house? If so, what controls should be implemented to protect the rights of the occupants?**

**3.6 Should AML/CFT Supervisors have the power to conduct**



Option	Total	Percent
Yes - AML/CFT Supervisors should be able to conduct onsite inspections where REs are operating from a dwelling house	16	27.12%
No	4	6.78%
Unsure	4	6.78%
Not Answered	35	59.32%

**Please explain your answer**

There were 14 responses to this part of the question.

**What controls are required to protect the rights of occupants?**

There were 9 responses to this part of the question.

**Question 3.7: What are some advantages or disadvantages of remote onsite inspections?**

**Please share your thoughts**

There were 12 responses to this part of the question.

**Question 3.8: Would virtual inspection options make supervision more efficient? What mechanisms would be required to make virtual inspections work?**

**3.8 Would virtual inspection options make supervision more efficient**



Option	Total	Percent
Yes	10	16.95%
No	3	5.08%
Unsure	8	13.56%
Not Answered	38	64.41%

**Please explain your answer**

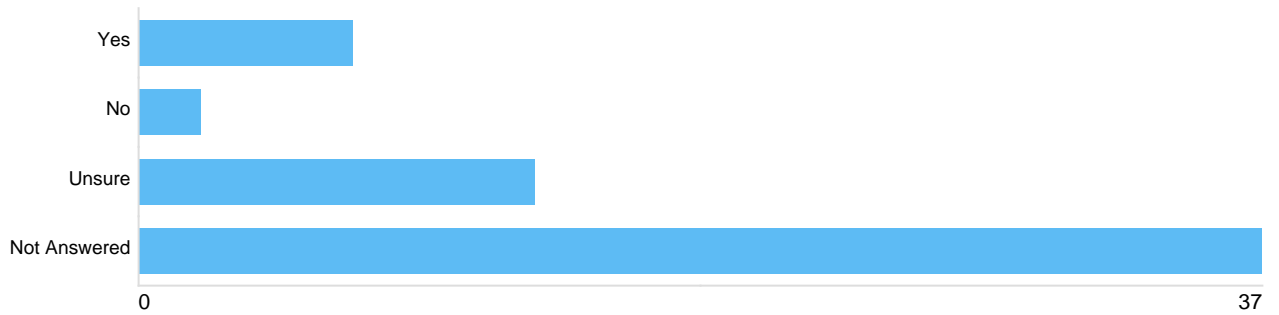
There were 7 responses to this part of the question.

**What mechanisms would be required to make virtual inspections work?**

There were 5 responses to this part of the question.

**Question 3.9: Is the process for forming a designated business group (DBG) appropriate? Are there any changes that could make the process more efficient?**

**3.9 Is the process for forming a DBG appropriate**



Option	Total	Percent
Yes	7	11.86%
No	2	3.39%
Unsure	13	22.03%
Not Answered	37	62.71%

**Please explain your answer**

There were 9 responses to this part of the question.

**Are there changes that could make the process more efficient?**

There were 4 responses to this part of the question.

**Question 3.10: Should supervisors have an explicit role in approving or rejecting formation of a DBG? Why or why not?**

**3.10 Should supervisors have an explicit role in approving or rejecting formation of DBG**



Option	Total	Percent
Yes	8	13.56%
No	3	5.08%
Unsure	10	16.95%
Not Answered	38	64.41%

**Why or why not?**

There were 7 responses to this part of the question.

**Question 3.11: Should explicit standards for audits and auditors be introduced? If so, what should those standards be and how could they be used to ensure audits are of higher quality?**

**3.11 Should explicit standards for audits and auditors be introduced**



Option	Total	Percent
Yes	22	37.29%
No	2	3.39%
Unsure	5	8.47%
Not Answered	30	50.85%

**If yes, what should the standards be?**

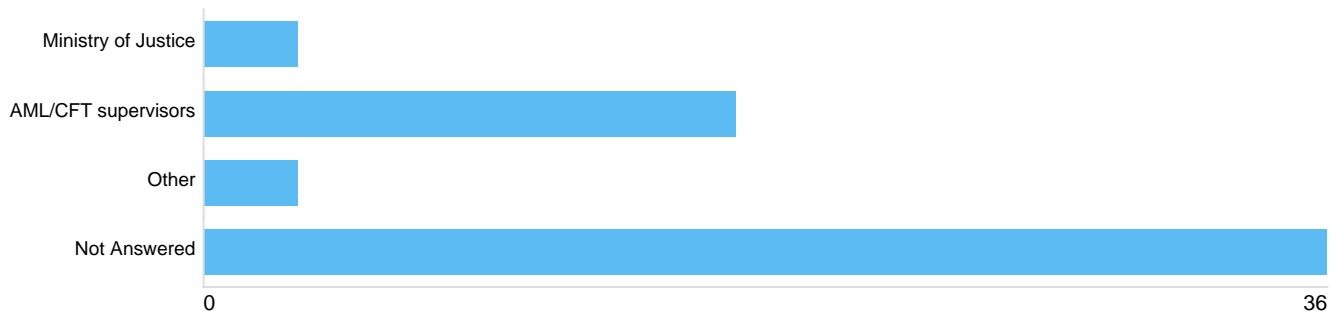
There were **20** responses to this part of the question.

**How could standards be used to ensure audits are of higher quality?**

There were **10** responses to this part of the question.

**Question 3.12: Who would be responsible for enforcing the standards of auditors?**

**3.12 Who would be responsible for enforcing the standards of auditors**



Option	Total	Percent
Ministry of Justice	3	5.08%
AML/CFT supervisors	17	28.81%
Other	3	5.08%
Not Answered	36	61.02%

**If other, which agency/organisation would enforce the standards?**

There were **7** responses to this part of the question.

**Please explain your answer**

There were **7** responses to this part of the question.

**Question 3.13: What impact would that have on cost for audits? What benefits would there be for businesses if we ensured higher quality audits?**

**Please share your thoughts**

There were **17** responses to this part of the question.

**What benefits would there be for businesses if we ensured higher quality audits?**

There were **12** responses to this part of the question.

**Question 3.14: Should there be any protections for businesses which rely on audits, or liability for auditors who do not provide a satisfactory audit?**

**3.14 Should there be any protections for businesses which rely on audits**



Option	Total	Percent
Yes	20	33.90%
No	3	5.08%
Unsure	4	6.78%
Not Answered	32	54.24%

**Please explain your answer**

There were **16** responses to this part of the question.

**If yes, what protections would you want? What should be the nature of the liability for auditors?**

There were **8** responses to this part of the question.

**Question 3.15: Is it appropriate to specify the role of a consultant in legislation, including what obligations they should have? If so, what are appropriate obligations for consultants?**

**3.15 Is it appropriate to specify the role of a consultant in legislation**



Option	Total	Percent
Yes	11	18.64%
No	6	10.17%
Unsure	6	10.17%
Not Answered	36	61.02%

**Please explain your answer**

There were **12** responses to this part of the question.

**If a consultant's rule should be specified in legislation, what are the appropriate obligations?**

There were **6** responses to this part of the question.

**Question 3.16: Do we need to specify what standards consultants should be held to? If so, what would it look like? Would it include specific standards that must be met before providing advice?**

**3.16 Do we need to specify standards for consultants**



Option	Total	Percent
Yes	10	16.95%
No	5	8.47%
Unsure	8	13.56%
Not Answered	36	61.02%

**Please explain your answer**

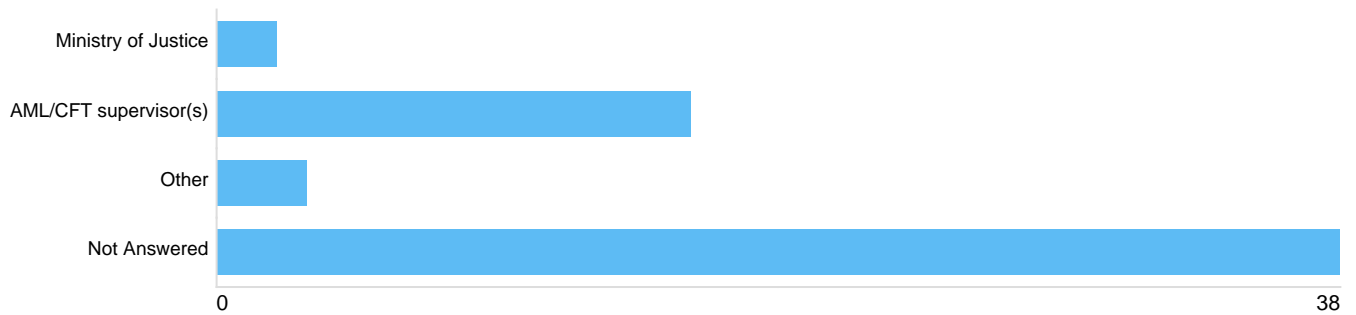
There were **10** responses to this part of the question.

**If yes, what should the standards look like?**

There were **3** responses to this part of the question.

**Question 3.17: Who would be responsible for enforcing the standard of consultants?**

**3.17 Who would be responsible for enforcing the standard of consultants**



Option	Total	Percent
Ministry of Justice	2	3.39%
AML/CFT supervisor(s)	16	27.12%
Other	3	5.08%
Not Answered	38	64.41%

**If other, please indicate which agency/organisation you see having responsibility**

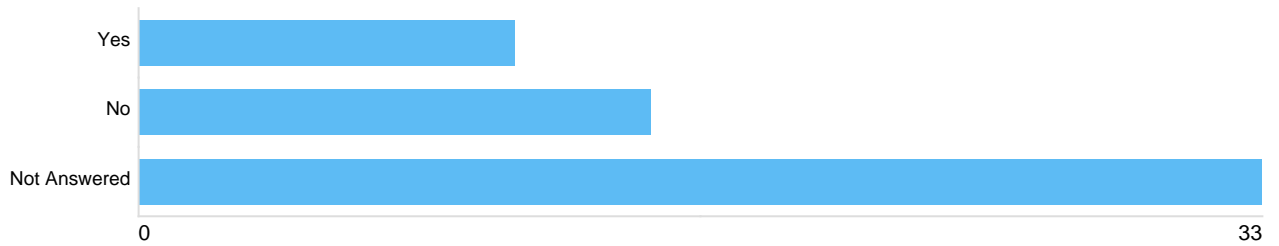
There were **5** responses to this part of the question.

**Please explain your answer**

There were **7** responses to this part of the question.

**Question 3.18: Do you currently use agents to assist with your AML/CFT compliance obligations? If so, what do you use agents for?**

**3.18 Do you currently use agents to assist with your AML/CFT compliance obligations**



Option	Total	Percent
Yes	11	18.64%
No	15	25.42%
Not Answered	33	55.93%

**What do you use agents for?**

There were 11 responses to this part of the question.

**Question 3.19: Do you currently take any steps to ensure that only appropriate persons are able to act as your agent? What are those steps and why do you take them?**

**3.19 Do you currently take any steps to ensure that only appropriate persons are able to act as your agent**



Option	Total	Percent
Yes	9	15.25%
No	8	13.56%
Not Answered	42	71.19%

**If yes, what are the steps you take to ensure only appropriate persons act as your agent?**

There were 8 responses to this part of the question.

**Question 3.20: Should there be any additional measures in place to regulate the use of agents and third parties? For example, should we set out who can be an agent and in what circumstances they can be relied upon?**

**3.20 Should there be any additional measures in place to regulate the use of agents and third parties**



Option	Total	Percent
Yes	9	15.25%
No	2	3.39%
Unsure	9	15.25%
Not Answered	39	66.10%

**Please explain your answer**

There were **9** responses to this part of the question.

**If yes, what other additional measures would you like to regulate the use of agents and third parties?**

There were **6** responses to this part of the question.

**Question 3.21: Does the existing penalty framework in the AML/CFT Act allow for effective, proportionate, and dissuasive sanctions to be applied in all circumstances, including for larger entities? Why or why not?**

**3.21 Does the existing penalty framework in the AML/CFT Act allow for effective, proportionate, and dissuasive sanctions**



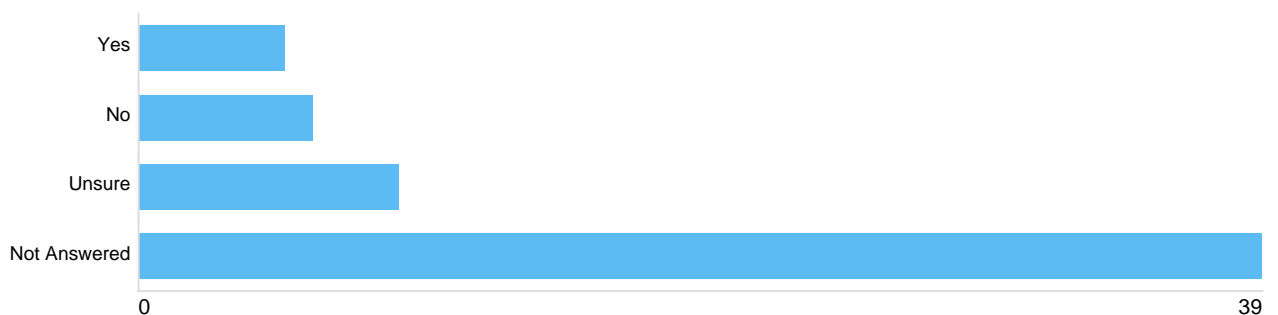
Option	Total	Percent
Yes	7	11.86%
No	8	13.56%
Unsure	7	11.86%
Not Answered	37	62.71%

**Please explain your answer**

There were **10** responses to this part of the question.

**Question 3.22: Would additional enforcement interventions, such as fines for non-compliance or enabling the restriction, suspension, or removal of a license or registration enable more proportionate, effective, and responsive enforcement?**

**3.22 Would additional enforcement interventions, such as fines for non-compliance**



Option	Total	Percent
Yes	5	8.47%
No	6	10.17%
Unsure	9	15.25%
Not Answered	39	66.10%

**Please explain your answer**

There were **7** responses to this part of the question.

**Question 3.23: Are there any other changes we could make to enhance the penalty framework in the Act?**

**Penalty framework rdaio**



Option	Total	Percent
Yes	6	10.17%
No	5	8.47%
Unsure	7	11.86%
Not Answered	41	69.49%

**Please provide further detail**

There were 8 responses to this part of the question.

**Question 3.24: Should the Act allow for higher penalties at the top end of seriousness to ensure sufficiently dissuasive penalties can be imposed for large businesses? If so, what should the penalties be?**

**3.24 Should the Act allow for higher penalties at the top end of seriousness to ensure sufficiently dissuasive penalties can be imposed for large businesses**



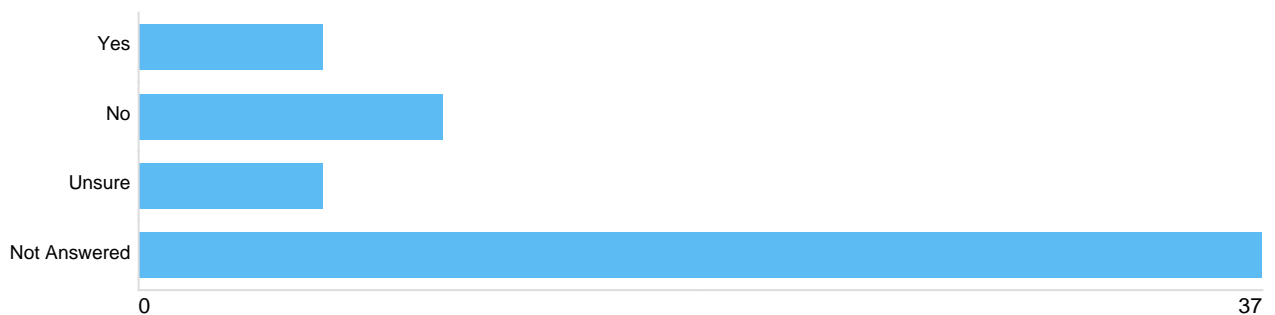
Option	Total	Percent
Yes	7	11.86%
No	7	11.86%
Unsure	7	11.86%
Not Answered	38	64.41%

**Please provide further information, including what the penalties could be**

There were 9 responses to this part of the question.

**Question 3.25: Would broadening the scope of civil sanctions to include directors and senior management support compliance outcomes? Should this include other employees?**

**3.25 Would broadening the scope of civil sanction to include directors and senior management support compliance outcomes**





Option	Total	Percent
Yes	6	10.17%
No	10	16.95%
Unsure	6	10.17%
Not Answered	37	62.71%

***Please provide further detail***

There were **10** responses to this part of the question.

**Question 3.26: If penalties could apply to senior managers and directors, what is the appropriate penalty amount?**

***Please share your thoughts***

There were **9** responses to this part of the question.

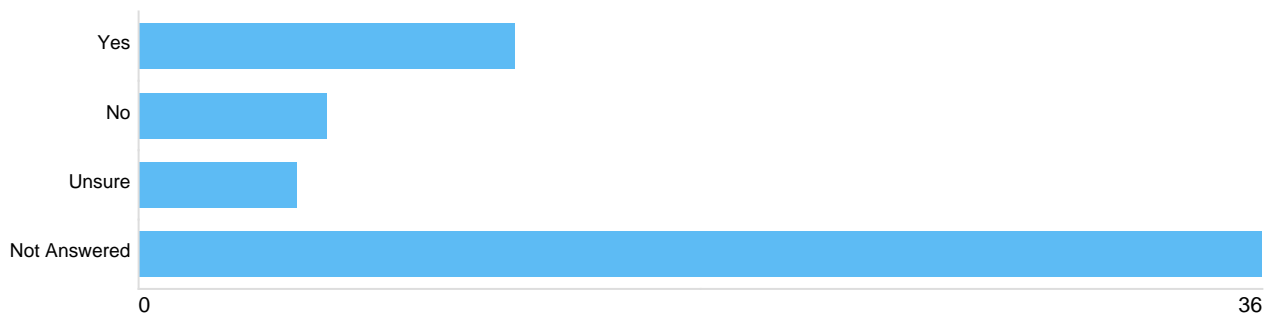
**Question 3.27: Should compliance officers also be subject to sanctions or provided protection from sanctions when acting in good faith?**

***Please share your thoughts***

There were **18** responses to this part of the question.

**Question 3.28: Should the Department of Internal Affairs (DIA) have the power to apply to liquidate a business to recover penalties and costs obtained in proceedings undertaken under the Act?**

***3.28 Should DIA have the power to apply to liquidate a business to recover penalties and costs obtained in proceedings undertaken under the Act***



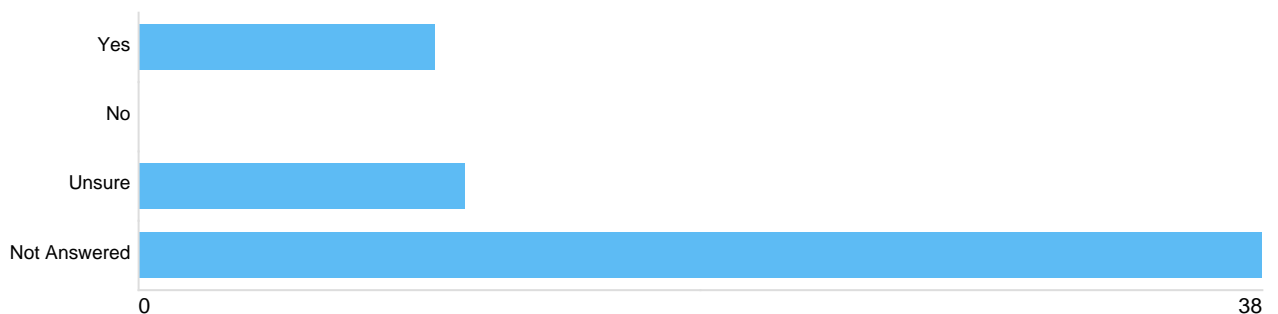
Option	Total	Percent
Yes	12	20.34%
No	6	10.17%
Unsure	5	8.47%
Not Answered	36	61.02%

***Please provide your comments in the box below***

There were **7** responses to this part of the question.

**Question 3.29: Should we change the time limit by which prosecutions must be brought by? If so, what should we change the time limit to?**

***3.29 Should we change the time limit by which prosecutions must be brought by***



Option	Total	Percent
Yes	10	16.95%
No	0	0.00%
Unsure	11	18.64%
Not Answered	38	64.41%

**Please provide your thoughts**

There were **9** responses to this part of the question.

**If you answered yes, what should we change the time limit to?**

There were **8** responses to this part of the question.

**Question 4.1: What challenges do you have with complying with your customer due diligence (CDD) obligations? How could these challenges be resolved?**

**What challenges do you have with complying with your CDD obligations?**

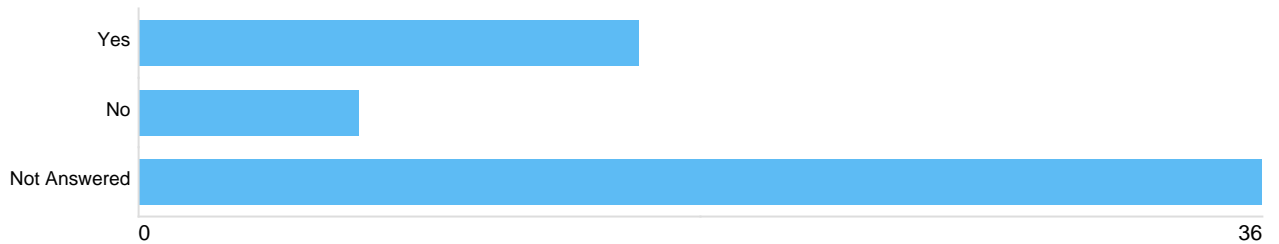
There were **21** responses to this part of the question.

**How could these challenges be resolved?**

There were **20** responses to this part of the question.

**Question 4.2: Have you experienced any situations where trying to identify the customer can be challenging or not straightforward? What were those situations and why was it challenging?**

**4.2 Have you experienced any situations where trying to identify the customer can be challenging or not straightforward?**



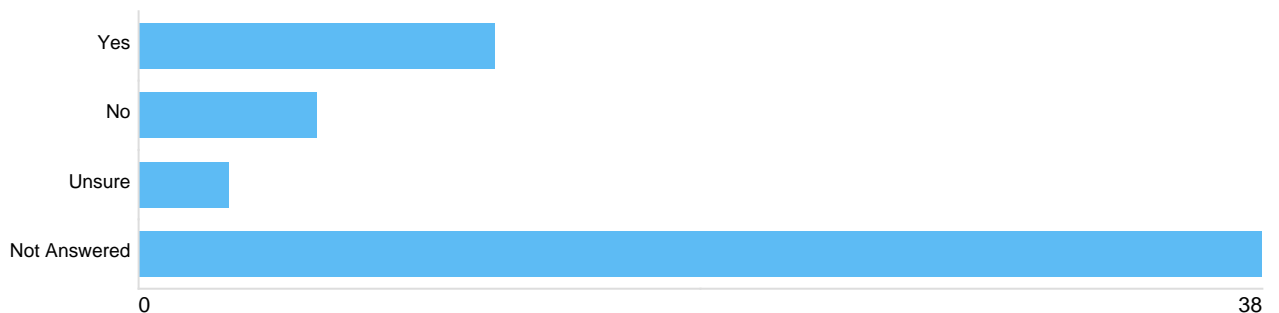
Option	Total	Percent
Yes	16	27.12%
No	7	11.86%
Not Answered	36	61.02%

**If yes, what were those situations and why was it challenging?**

There were **15** responses to this part of the question.

**Question 4.3: Would a more prescriptive approach to the definition of a customer be helpful? For example, should we issue regulations to define who the customer is in various circumstances and when various services are provided?**

**4.3 Would a more prescriptive approach to the definition of a customer be helpful?**



Option	Total	Percent
Yes	12	20.34%
No	6	10.17%
Unsure	3	5.08%
Not Answered	38	64.41%

***Please share your thoughts***

There were 12 responses to this part of the question.

**Question 4.4: If so, what are the situations where more prescription is required to define the customer?**

***What do you think?***

There were 11 responses to this part of the question.

**Question 4.5: Do you anticipate that there would be any benefits or additional challenges from a more prescriptive approach being taken?**

***Please share your thoughts***

There were 10 responses to this part of the question.

**Question 4.6: Should we amend the existing regulations to require real estate agents to conduct CDD on both the purchaser and vendor?**

***4.6 Should we amend the existing regulations to require real estate agents to conduct CDD on both the purchaser and vendor?***



Option	Total	Percent
Yes	6	10.17%
No	8	13.56%
Unsure	5	8.47%
Not Answered	40	67.80%

***Please provide comments below***

There were 11 responses to this part of the question.

**Question 4.7: What challenges do you anticipate would occur if this was required? How might these be addressed? What do you estimate would be the costs of the change?**

***What challenges do you anticipate would occur if CDD was required on both parties?***

There were 10 responses to this part of the question.

***How might the challenges be addressed?***

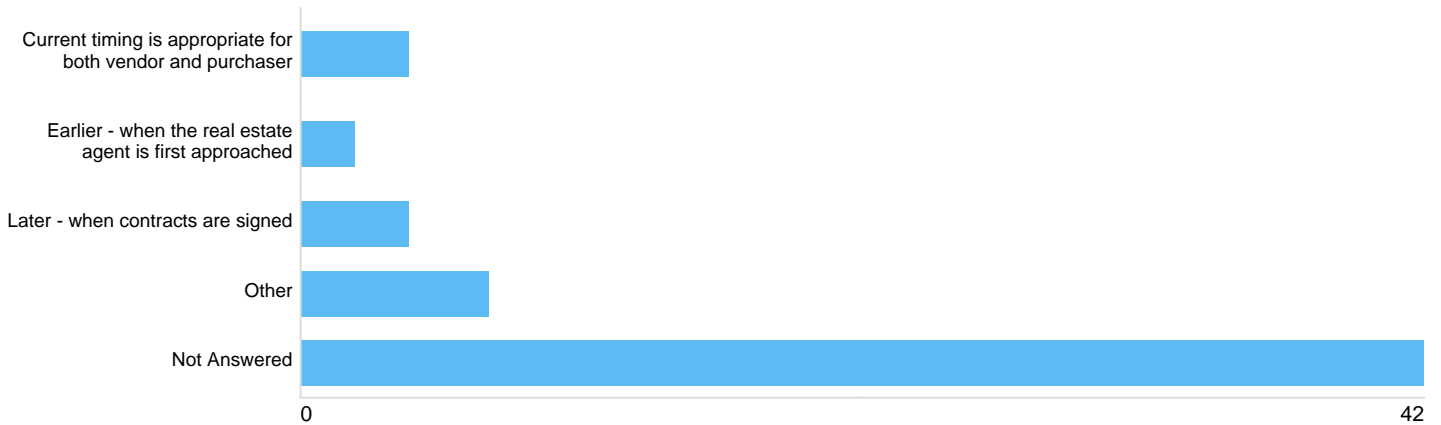
There were 10 responses to this part of the question.

***What do you estimate the costs of the change would be?***

There were 7 responses to this part of the question.

**Question 4.8: When is the appropriate time for CDD on the vendor and purchaser to be conducted in real estate transactions?**

**4.8 When is the appropriate time for CDD on the vendor and purchaser to be conducted in real estate transactions?**



Option	Total	Percent
Current timing is appropriate for both vendor and purchaser	4	6.78%
Earlier - when the real estate agent is first approached	2	3.39%
Later - when contracts are signed	4	6.78%
Other	7	11.86%
Not Answered	42	71.19%

**If you have indicated other above or have more comments to make please provide them in the box below**

There were 9 responses to this part of the question.

**Question 4.9: Are the prescribed points where CDD must be conducted clear and appropriate? If not, how could we improve them?**

**4.9 Are the prescribed points where CDD must be conducted clear and appropriate?**



Option	Total	Percent
Yes	12	20.34%
No	6	10.17%
Unsure	2	3.39%
Not Answered	39	66.10%

**Please provide further detail below**

There were 11 responses to this part of the question.

**Question 4.10: For enhanced CDD, is the trigger for unusual or complex transactions sufficiently clear?**

**4.10 For enhanced CDD, is the trigger for unusual or complex transactions sufficiently clear?**



Option	Total	Percent
Yes	12	20.34%
No	6	10.17%
Unsure	1	1.69%
Not Answered	40	67.80%

**Please provide further detail below**

There were 8 responses to this part of the question.

**Question 4.11: Should CDD be required in all instances where suspicions arise?**

**4.11 Should CDD be required in all instances where suspicions arise?**



Option	Total	Percent
Yes	8	13.56%
No	10	16.95%
Unsure	4	6.78%
Not Answered	37	62.71%

**Please provide your comments in the box below**

There were 14 responses to this part of the question.

**Question 4.12: If so, what level of CDD should be required, and what should be the requirements regarding verification? Is there any information that businesses should not need to obtain or verify?**

**4.12 If so, what level of CDD should be required?**



Option	Total	Percent
Standard customer due diligence	9	15.25%
Enhanced customer due diligence	7	11.86%
Not Answered	43	72.88%

**What should be the requirements regarding verification?**

There were 11 responses to this part of the question.

**Is there any information that businesses should not need to obtain or verify?**

There were 4 responses to this part of the question.

**Question 4.13: How can we ensure that this obligation does not put businesses in a position where they are likely to tip off the person?**

**Please provide your comments in the box below**

There were 9 responses to this part of the question.

**Question 4.14: What money laundering risks are you seeing in relation to law firm trust accounts?**

**Please provide your comments in the box below**

There were 10 responses to this part of the question.

**Question 4.15: Are there any specific AML/CFT requirements or controls that could be put in place to mitigate the risks? If so, what types of circumstances or transactions should they apply to and what should the AML/CFT requirements be?**

**4.15 Are there any specific AML/CFT requirements or controls that could be put in place to mitigate the risks?**



Option	Total	Percent
Yes	3	5.08%
No	3	5.08%
Unsure	7	11.86%
Not Answered	46	77.97%

**Please share your thoughts**

There were 7 responses to this part of the question.

**If you answered yes, what types of circumstances or transactions should they apply to and what should the AML/CFT requirements be?**

There was 1 response to this part of the question.

**Question 4.16: Should this only apply to law firm trust accounts or to any DNFBP that holds funds in its trust account?**

**4.16 Should this only apply to law firm trust accounts or to any DNFBP that holds funds in its trust account?**



Option	Total	Percent
Apply only to law firm trust accounts	3	5.08%
Apply to any DNFBP that holds funds in its trust account	7	11.86%
Unsure	2	3.39%
Not Answered	47	79.66%

**Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.17: What do you estimate would be the costs of any additional controls you have identified?**

**Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.18: Is the information that the Act requires to be obtained and verified still appropriate? If not, what should be changed?**

**4.18 Is the information that the Act requires to be obtained and verified still appropriate?**



Option	Total	Percent
Yes	5	8.47%
No	12	20.34%
Unsure	1	1.69%
Not Answered	41	69.49%

**Please share your thoughts**

There were 12 responses to this part of the question.

**Question 4.19: Are the obligations to obtain and verify information clear?**

**4.19 Are the obligations to obtain and verify information clear?**



Option	Total	Percent
Yes	10	16.95%
No	5	8.47%
Unsure	1	1.69%
Not Answered	43	72.88%

**Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.20: Is the information that businesses should obtain and verify about their customers still appropriate?**

**4.20 Is the information that businesses should obtain and verify about their customers still appropriate?**



Option	Total	Percent
Yes	8	13.56%
No	7	11.86%
Unsure	3	5.08%
Not Answered	41	69.49%

**Please provide your comments in the box below**

There were 9 responses to this part of the question.

**Question 4.21: Is there any other information that the Act should require businesses to obtain or verify as part of CDD to better identify and manage a customer's risks?**

**Please provide your comments in the box below**

There were 12 responses to this part of the question.



**Question 4.22: Should we issue regulations to require businesses to obtain and verify information about a legal person or legal arrangement's form and proof of existence, ownership and control structure, and powers that bind and regulate? Why?**

**4.22 Should we issue regulations to require businesses to obtain and verify information about a legal person or legal arrangement's form and proof of existence, ownership and control structure, and powers that bind and regulate?**



Option	Total	Percent
Yes	8	13.56%
No	8	13.56%
Unsure	4	6.78%
Not Answered	39	66.10%

**Please provide your thoughts**

There were **10** responses to this part of the question.

**Question 4.23: Do you already obtain some or all of this information, even though it is not explicitly required? If so, what information do you already obtain and why?**

**4.23 Do you already obtain some or all of this information, even though it is not explicitly required?**



Option	Total	Percent
Yes	13	22.03%
No	4	6.78%
Not Answered	42	71.19%

**If so, what information do you already obtain and why?**

There were **10** responses to this part of the question.

**Question 4.24: What do you estimate would be the impact on your compliance costs for your business if regulations explicitly required this information to be obtained and verified?**

**Please estimate the impact on your compliance costs in the box below**

There were **13** responses to this part of the question.

**Question 4.25: Should we issue regulations to prescribe when information about a customer’s source of wealth should be obtained and verified versus source of funds? If so, what should the requirements be for businesses?**

**4.25 Should we issue regulations to prescribe when information about a customer's source of wealth should be obtained and verified versus source of funds?**



Option	Total	Percent
Yes	12	20.34%
No	6	10.17%
Unsure	1	1.69%
Not Answered	40	67.80%

**Please provide further details below**

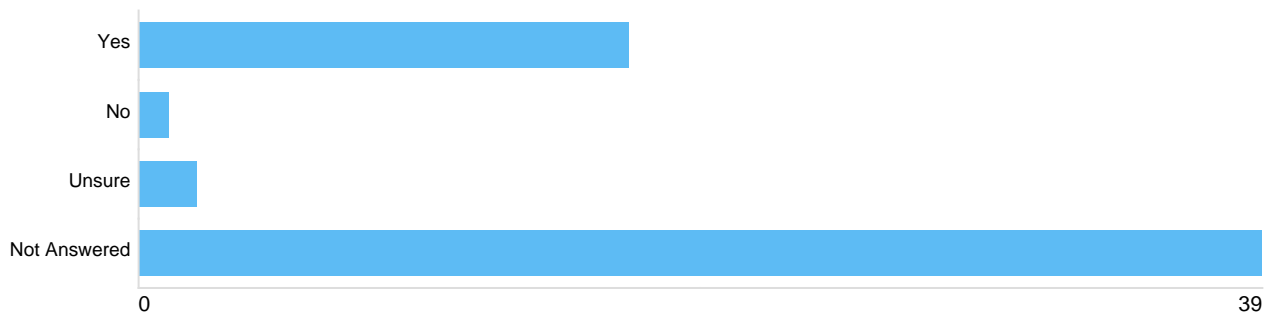
There were **15** responses to this part of the question.

**If so, what should the requirements be for businesses?**

There were **7** responses to this part of the question.

**Question 4.26: Are there any instances where businesses should not be required to obtain this information? Are there any circumstances when source of funds and source of wealth should be obtained and verified?**

**4.26 Are there any instances where businesses should not be required to obtain this information? Are there any circumstances when source of funds and source of wealth should be obtained and verified?**



Option	Total	Percent
Yes	17	28.81%
No	1	1.69%
Unsure	2	3.39%
Not Answered	39	66.10%

**Please provide your thoughts**

There were **18** responses to this part of the question.

**Question 4.27: Would there be any additional costs resulting from prescribing further requirements for source of wealth and source of funds?**

**4.27 Would there be any additional costs resulting from prescribing further requirements for source of wealth and source of funds?**



Option	Total	Percent
Yes	11	18.64%
No	3	5.08%
Unsure	4	6.78%
Not Answered	41	69.49%

**Please provide your estimate of additional costs in the box below**

There were 11 responses to this part of the question.

**Question 4.28: Should we issue regulations to require businesses to obtain information about the beneficiary/ies of a life insurance or investment-related insurance policy and prescribe the beneficiary/ies as a relevant risk factor when determining the appropriate level of CDD to conduct? Why or why not?**

**4.28 Should we issue regulations to require businesses to obtain information about the beneficiary/ies of a life insurance or investment-related insurance policy and prescribe the beneficiary/ies as a relevant risk factor when determining the appropriate level of CDD to conduct?**



Option	Total	Percent
Yes	4	6.78%
No	9	15.25%
Unsure	3	5.08%
Not Answered	43	72.88%

**Please provide your comments on why or why not in the box below**

There were 7 responses to this part of the question.

**Question 4.29: If we required this approach to be taken regarding beneficiaries of life and other investment-related insurance policies, should the obligations only apply for moderate or high-risk insurance policies? Are there any other steps we could take to ensure compliance costs are proportionate to risks?**

**4.29** *If we require this approach to be taken regarding beneficiaries of life and other investment-related insurance policies, should the obligations only apply for moderate or high-risk insurance policies?*



Option	Total	Percent
Yes	5	8.47%
No	5	8.47%
Other	1	1.69%
Not Answered	48	81.36%

**Please provide your comments in the box below**

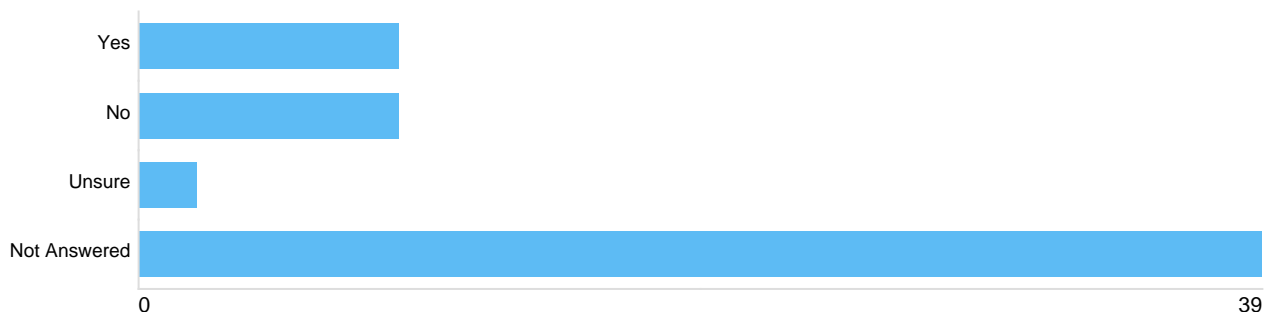
There were **4** responses to this part of the question.

**Are there any other steps we could take to ensure compliance costs are proportionate to risks?**

There were **3** responses to this part of the question.

**Question 4.30: Have you encountered issues with the definition of a beneficial owner? If so, what about the definition was unclear or problematic?**

**4.30** *Have you encountered issues with the definition of a beneficial owner?*



Option	Total	Percent
Yes	9	15.25%
No	9	15.25%
Unsure	2	3.39%
Not Answered	39	66.10%

**If so, what about the definition was unclear or problematic?**

There were **9** responses to this part of the question.

**Question 4.31: How can we improve the definition in the Act as well as in guidance to address those challenges?**

**Please provide your thoughts**

There were **9** responses to this part of the question.

**Question 4.32: Should we issue a regulation which states that businesses should be focusing on identifying the "ultimate" beneficial owner? If so, how could "ultimate" beneficial owner be defined?**

**4.32 Should we issue a regulation which states that businesses should be focusing on identifying the "ultimate" beneficial owner?**



Option	Total	Percent
Yes	5	8.47%
No	8	13.56%
Unsure	5	8.47%
Not Answered	41	69.49%

**Please provide your thoughts**

There were **10** responses to this part of the question.

**If so, how could "ultimate" beneficial owner be defined**

There were **4** responses to this part of the question.

**Question 4.33: To what extent are you focusing beneficial ownership checks on the "ultimate" beneficial owner, even though it is not strictly required?**

**4.33 To what extent are you focusing beneficial ownership checks on the "ultimate" beneficial owner, even though it is not strictly required?**



Option	Total	Percent
Never	2	3.39%
Sometimes	5	8.47%
Always	12	20.34%
Not Answered	40	67.80%

**Please provide any comments you have on "ultimate" beneficial owner checks in the box below**

There were **8** responses to this part of the question.

**Question 4.34: Would there be any additional costs resulting from prescribing that businesses should focus on the “ultimate” beneficial owner?**

**4.34** *Would there be any additional costs resulting from prescribing that businesses should focus on the "ultimate" beneficial owner?*



Option	Total	Percent
Yes	11	18.64%
No	5	8.47%
Unsure	2	3.39%
Not Answered	41	69.49%

***Please provide your thoughts***

There were **9** responses to this part of the question.

***If yes, can you please indicate the level of costs you think apply***

There were **3** responses to this part of the question.

**Question 4.35: Should we issue a regulation which states that for the purposes of the definition of beneficial owner, a person on whose behalf a transaction is conducted is restricted to a person with indirect ownership or control of the customer (to align with the Financial Action Task Force (FATF) standards)? Why or why not?**

**4.35** *Should we issue a regulation which states that for the purposes of the definition of beneficial owner, a person on whose behalf a transaction is conducted is restricted to a person with indirect ownership or control of the customer (to align with the FATF standards)?*



Option	Total	Percent
Yes	10	16.95%
No	2	3.39%
Unsure	6	10.17%
Not Answered	41	69.49%

***Please provide your thoughts below***

There were **11** responses to this part of the question.

**Question 4.36: Would this change make the “specified managing intermediaries” exemption or Regulation 24 of the AML/CFT (Exemption) Regulations 2011 unnecessary? If so, should the exemptions be revoked?**

**4.36 Would this change make the "specified managing intermediaries" exemption or Regulation 24 of the AML/CFT (Exemption) Regulations 2011 unnecessary?**



Option	Total	Percent
Yes	3	5.08%
No	2	3.39%
Unsure	11	18.64%
Not Answered	43	72.88%

**Please provide your thoughts**

There was 1 response to this part of the question.

**Question 4.37: Would there be any additional compliance costs or other consequences for your business from this change? If so, what steps could be taken to minimise these costs or other consequences?**

**4.37 Would there be any additional compliance costs or other consequences for your business from this change?**



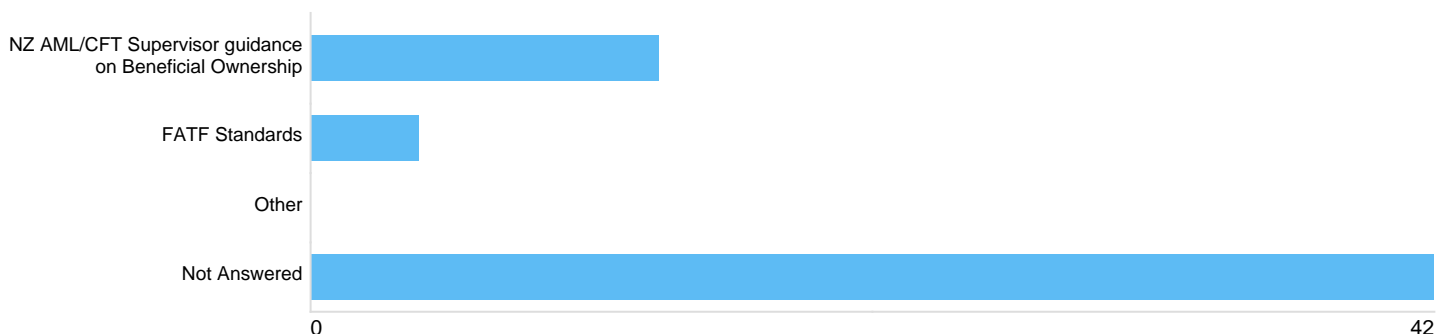
Option	Total	Percent
Yes	3	5.08%
No	2	3.39%
Unsure	9	15.25%
Not Answered	45	76.27%

**Please provide your thoughts**

There were 3 responses to this part of the question.

**Question 4.38: What process do you currently follow to identify who ultimately owns or controls a legal person, and to what extent is it consistent with the process set out in the FATF standards?**

**4.38 What process do you currently follow to identify who ultimately owns or controls a legal person?**



Option	Total	Percent
NZ AML/CFT Supervisor guidance on Beneficial Ownership	13	22.03%
FATF Standards	4	6.78%
Other	0	0.00%
Not Answered	42	71.19%

**To what extent is the process you follow consistent with the process set out in the FATF standards?**

There were 10 responses to this part of the question.

**Question 4.39: Should we issue regulations or a Code of Practice which is consistent with the FATF standards for identifying the beneficial owner of a legal person?**

**4.39 Should we issue regulations or a Code of Practice which is consistent with the FATF standards for identifying the beneficial owner of a legal person?**



Option	Total	Percent
Issue regulations	8	13.56%
Issue a Code of Practice	6	10.17%
Other	2	3.39%
Not Answered	43	72.88%

**Please provide any further comments you have in the box below**

There were 6 responses to this part of the question.

**Question 4.40: Are there any aspects of the process the FATF has identified that are not appropriate for New Zealand businesses?**

**4.40 Are there any aspects of the process the FATF has identified that are not appropriate for New Zealand businesses?**



Option	Total	Percent
Yes	2	3.39%
No	10	16.95%
Not Answered	47	79.66%

**If yes, please indicate what aspects they are and why they are not appropriate for New Zealand businesses**

There were 2 responses to this part of the question.



**Question 4.41: Would there be an impact on your compliance costs by mandating this process? If so, what would be the impact?**

**4.41 Would there be an impact on your compliance costs by mandating this process?**



Option	Total	Percent
Yes	7	11.86%
No	4	6.78%
Unsure	4	6.78%
Not Answered	44	74.58%

**If so, what would be the impact?**

There were 3 responses to this part of the question.

**Question 4.42: Should we issue regulations or a Code of Practice that allows businesses to satisfy their beneficial ownership obligations by identifying the settlor, the trustee(s), the protector and any other person exercising ultimate effective control over the trust or legal arrangement?**

**4.42 Should we issue regulations or a Code of Practice that allows businesses to satisfy their beneficial ownership obligations by identifying the settlor, the trustee(s), the protector and any other person exercising ultimate effective control over the trust or legal arrangement?**



Option	Total	Percent
Issue regulations	6	10.17%
Issue a Code of Practice	8	13.56%
Other	3	5.08%
Not Answered	42	71.19%

**Please provide any comments you have in the box below**

There were 9 responses to this part of the question.

**Question 4.43: Would there be an impact on your compliance costs by mandating that this process be applied? If so, what is the impact?**

**4.43 Would there be an impact on your compliance costs by mandating that this process be applied?**



Option	Total	Percent
Yes	9	15.25%
No	6	10.17%
Unsure	2	3.39%
Not Answered	42	71.19%

**Please provide further details below**

There were 6 responses to this part of the question.

**Question 4.44: Are the standards of verification and the basis by which verification of identity must be done clear and still appropriate? If not, how could they be improved?**

**4.47 Are the standards of verification and the basis by which verification of identity must be done clear and still appropriate?**



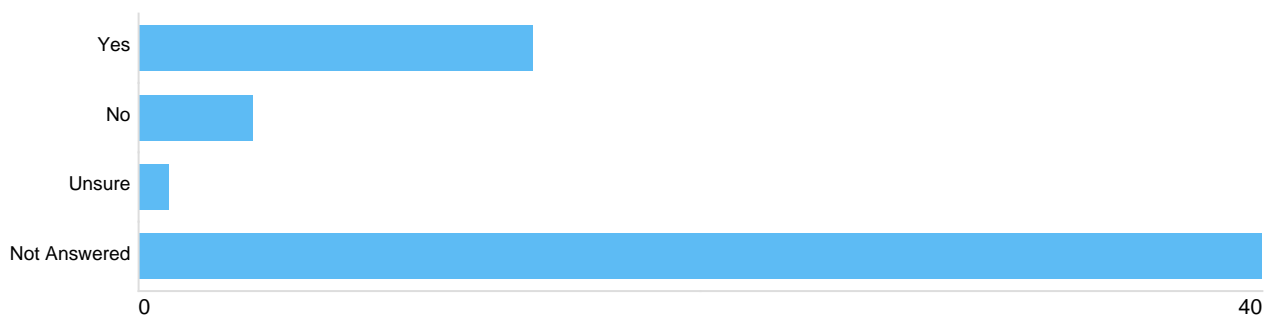
Option	Total	Percent
Yes	10	16.95%
No	8	13.56%
Unsure	3	5.08%
Not Answered	38	64.41%

**Please provide your thoughts**

There were 11 responses to this part of the question.

**Question 4.45: Do you encounter any challenges with using Identity Verification Code of Practice (IVCOP)? If so, what are they, and how could they be resolved?**

**4.48 Do you encounter any challenges with using Identity Verification Code of Practice (IVCOP)?**



Option	Total	Percent
Yes	14	23.73%
No	4	6.78%
Unsure	1	1.69%
Not Answered	40	67.80%

**4.48 If so, what are they, and how could they be resolved?**

There were 15 responses to this part of the question.

**Question 4.46: Is the approach in IVCOP clear and appropriate? If not, why?**

**4.46radio**



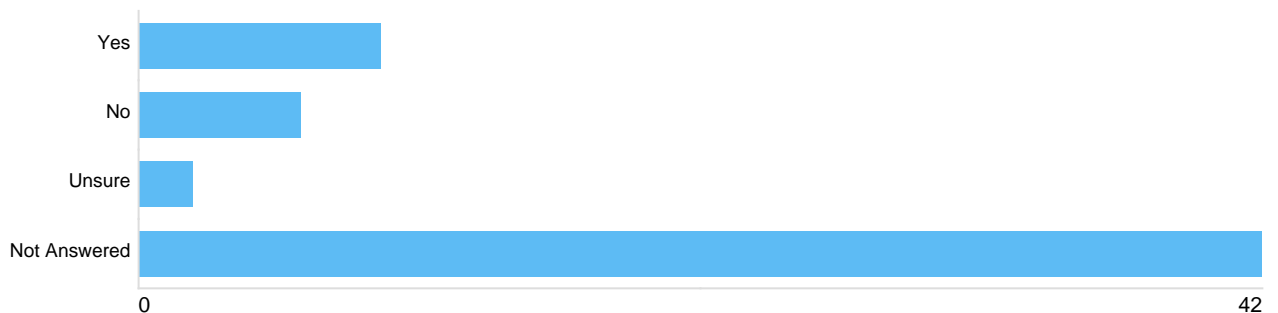
Option	Total	Percent
Yes	8	13.56%
No	5	8.47%
Unsure	3	5.08%
Not Answered	43	72.88%

**Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.47: Should we amend or expand the IVCOP to include other AML/CFT verification requirements, e.g. verifying name and date of birth of high-risk customers verifying legal persons or arrangements, ongoing CDD, or sharing CDD information between businesses?**

**4.47radio**



Option	Total	Percent
Yes	9	15.25%
No	6	10.17%
Unsure	2	3.39%
Not Answered	42	71.19%

**What other verification requirements could be included?**

There were 7 responses to this part of the question.

**Question 4.48: Are there any identity documents or other forms of identity verification that businesses should be able to use to verify a customer's identity?**

**Please provide your comments in the box below**

There were 12 responses to this part of the question.

**Question 4.49: Do you have any challenges in complying with Part 3 of IVCOP in relation to electronic verification? What are those challenges and how could we address them?**

4.49radio



Option	Total	Percent
Yes	8	13.56%
No	7	11.86%
Unsure	2	3.39%
Not Answered	42	71.19%

***What challenges have you faced?***

There were 11 responses to this part of the question.

***How could those challenges be addressed?***

There were 6 responses to this part of the question.

**Question 4.50: What challenges have you faced with verification of address information? What have been the impacts of those challenges?**

***What challenges have you faced with verification of address information?***

There were 19 responses to this part of the question.

***What have been the impacts of those challenges?***

There were 10 responses to this part of the question.

**Question 4.51: In your view, when should address information be verified, and how should that verification occur?**

***When should address information be verified?***

There were 16 responses to this part of the question.

***How should verification occur?***

There were 10 responses to this part of the question.

**Question 4.52: How could we address challenges with address verification while also ensuring law enforcement outcomes are not undermined? Are there any fixes we could make in the short term?**

***How could we address challenges with address verification while also ensuring law enforcement outcomes are not undermined?***

There were 11 responses to this part of the question.

***Are there any fixes we could make in the short term?***

There were 7 responses to this part of the question.

**Question 4.53: Do you currently take any of the steps identified by the FATF standards to manage high-risk customers, transactions or activities? If so, what steps do you take and why?**

**4.56 Do you currently take any of the steps identified by the FATF standards to manage high-risk customers, transactions or activities?**



Option	Total	Percent
Yes	5	8.47%
No	10	16.95%
Not Answered	44	74.58%

**If you answered yes, what steps do you take and why?**

There were 8 responses to this part of the question.

**Question 4.54: Should we issue regulations or a Code of Practice which outlines the additional measures that businesses can take as part of enhanced CDD?**

**4.57 Should we issue regulations or a Code of Practice which outlines the additional measures that businesses can take as part of enhanced CDD?**



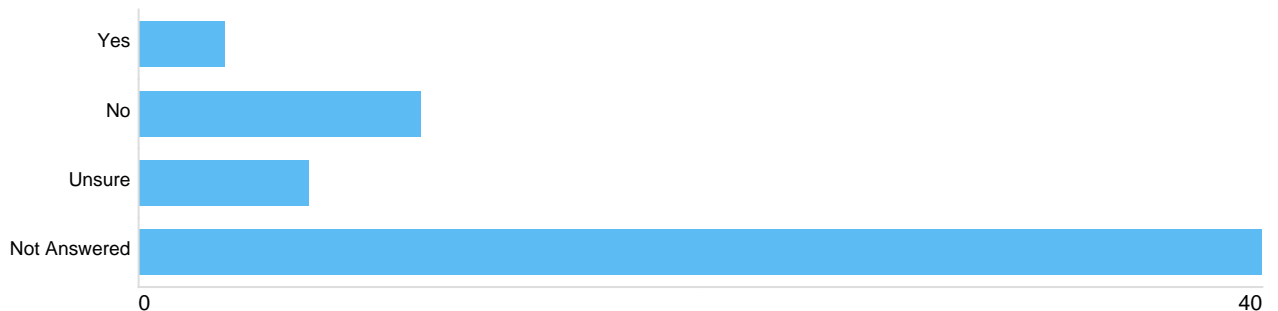
Option	Total	Percent
Issue regulations	4	6.78%
Issue a Code of Practice	7	11.86%
Unsure	7	11.86%
Not Answered	41	69.49%

**Please provide any further comments you have in the box below**

There were 10 responses to this part of the question.

**Question 4.55: Should any of the additional measures be mandatory? If so, how should they be mandated, and in what circumstances?**

**4.58 Should any of the additional measures be mandatory?**



Option	Total	Percent
Yes	3	5.08%
No	10	16.95%
Unsure	6	10.17%
Not Answered	40	67.80%

***If you answered yes, what measures should be mandatory?***

There were 5 responses to this part of the question.

***How should we make the measures mandatory?***

There were 3 responses to this part of the question.

***When should the measures be mandatory?***

There were 4 responses to this part of the question.

**Question 4.56: Are there ways we can enhance or streamline the operation of the simplified CDD obligations, in particular where the customer is a large organisation?**

***4.59 Are there ways we can enhance or streamline the operation of the simplified CDD obligations, in particular where the customer is a large organisation?***



Option	Total	Percent
Yes	10	16.95%
No	3	5.08%
Unsure	5	8.47%
Not Answered	41	69.49%

***Please provide further detail below***

There were 11 responses to this part of the question.

**Question 4.57: Should we issue regulations to allow employees to be delegated by a senior manager without triggering CDD in each circumstance? Why?**

***4.60 Should we issue regulations to allow employees to be delegated by a senior manager without triggering CDD in each circumstance?***



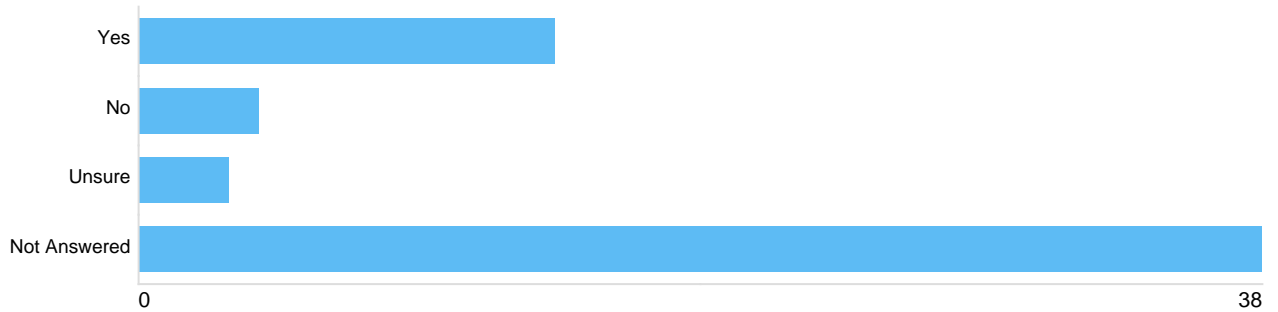
Option	Total	Percent
Yes	11	18.64%
No	2	3.39%
Unsure	5	8.47%
Not Answered	41	69.49%

**Why? Please provide your response in the box below**

There were **8** responses to this part of the question.

**Question 4.58: Should we remove the requirement for enhanced CDD to be conducted for all trusts or vehicles for holding personal assets? Why or why not?**

**4.44 Should we remove the requirement for enhanced CDD to be conducted for all trusts or vehicles for holding personal assets?**



Option	Total	Percent
Yes	14	23.73%
No	4	6.78%
Unsure	3	5.08%
Not Answered	38	64.41%

**Why or why not? Please elaborate**

There were **16** responses to this part of the question.

**Question 4.59: If we removed this requirement, what further guidance would need to be provided to enable businesses to appropriately identify high risks trusts and conduct enhanced CDD?**

**Please provide further detail below**

There were **14** responses to this part of the question.

**Question 4.60: Should high-risk categories of trusts which require enhanced CDD be identified in regulation or legislation? If so, what sorts of trusts would fall into this category?**

**4.45 Should high-risk categories of trusts which require enhanced CDD be identified in regulation or legislation?**



Option	Total	Percent
Yes	12	20.34%
No	4	6.78%
Unsure	4	6.78%
Not Answered	39	66.10%

**Please provide further detail below**

There were **10** responses to this part of the question.

**If so, what sorts of trusts would fall into this category?**

There were **9** responses to this part of the question.

**Question 4.61: Are the ongoing CDD and account monitoring obligations in section 31 clear and appropriate, or are there changes we should consider making?**

**4.61 Are the ongoing CDD and account monitoring obligations in section 31 clear and appropriate, or are there changes we should consider making?**



Option	Total	Percent
Yes	7	11.86%
No	9	15.25%
Unsure	2	3.39%
Not Answered	41	69.49%

**Please provide further detail below**

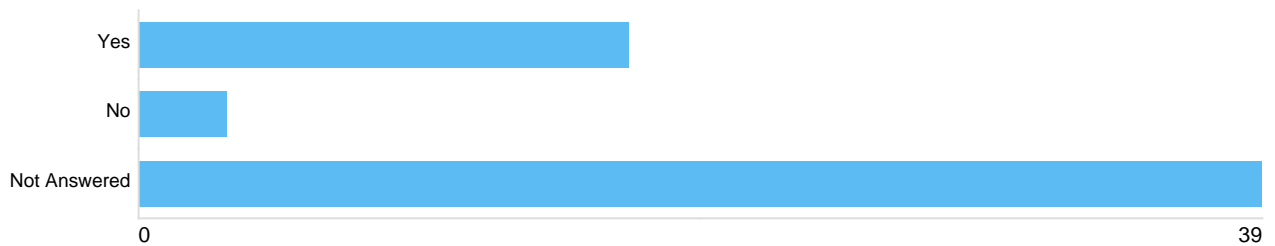
There were **10** responses to this part of the question.

**What changes should we consider making to clarify CDD and account monitoring obligations in section 31?**

There were **9** responses to this part of the question.

**Question 4.62: As part of ongoing CDD and account monitoring, do you consider whether and when CDD was last conducted and the adequacy of the information previously obtained?**

**4.62 As part of ongoing CDD and account monitoring, do you consider whether and when CDD was last conducted and the adequacy of the information previously obtained?**



Option	Total	Percent
Yes	17	28.81%
No	3	5.08%
Not Answered	39	66.10%

**Please provide any further comments in the box below**

There were **8** responses to this part of the question.



**Question 4.63: Should we issue regulations to require businesses to consider these factors when conducting ongoing CDD and account monitoring? Why?**

**4.63 Should we issue regulations to require businesses to consider these factor when conducting ongoing CDD and account monitoring?**



Option	Total	Percent
Yes	5	8.47%
No	10	16.95%
Unsure	3	5.08%
Not Answered	41	69.49%

**Why? Please provide your comments in the box below**

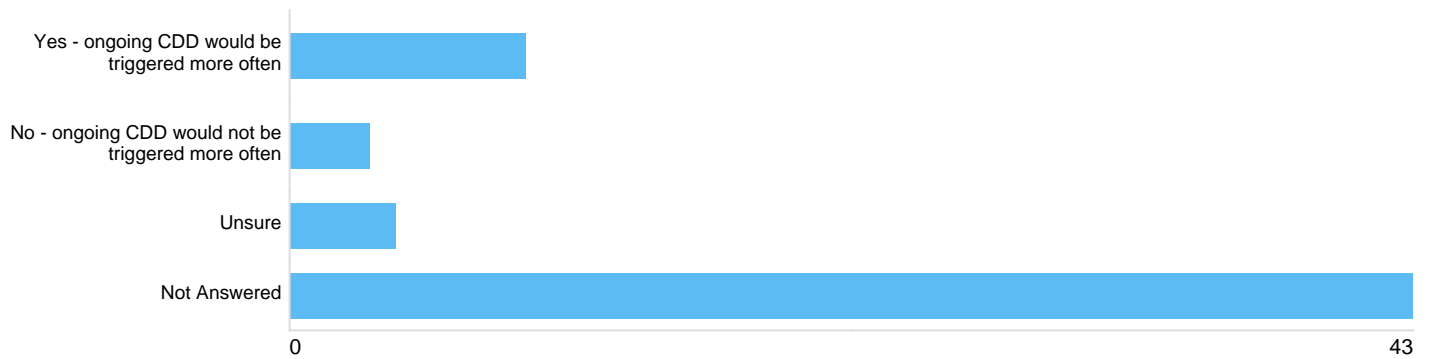
There were 11 responses to this part of the question.

**Question 4.64: What would be the impact on your compliance costs if we issued regulations to make this change? Would ongoing CDD be triggered more often?**

**What would be the impact on your compliance costs if we issued regulations to make this change?**

There were 9 responses to this part of the question.

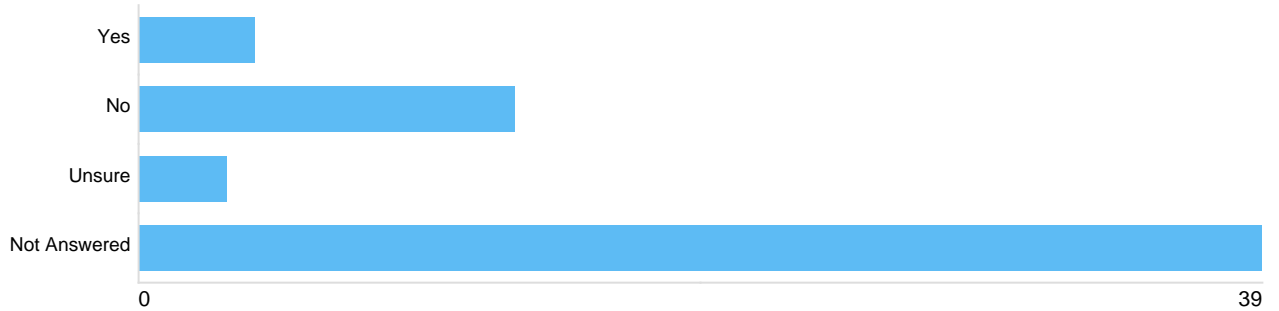
**4.64 Would ongoing CDD be triggered more often?**



Option	Total	Percent
Yes - ongoing CDD would be triggered more often	9	15.25%
No - ongoing CDD would not be triggered more often	3	5.08%
Unsure	4	6.78%
Not Answered	43	72.88%

**Question 4.65: Should we mandate any other requirements for ongoing CDD, e.g. how frequently it needs to be conducted?**

**4.65 Should we mandate any other requirements for ongoing CDD, e.g. how frequently it needs to be conducted?**



Option	Total	Percent
Yes	4	6.78%
No	13	22.03%
Unsure	3	5.08%
Not Answered	39	66.10%

**Why? Please provide further detail below**

There were 13 responses to this part of the question.

**Please provide any other examples of mandated requirements for ongoing CDD in the box below**

There was 1 response to this part of the question.

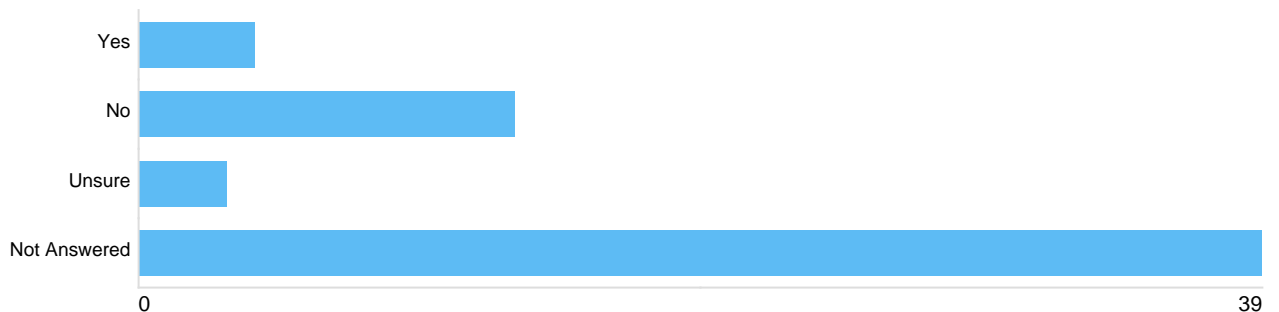
**Question 4.66: If you are a DNFBP, how do you currently approach your ongoing CDD and account monitoring obligations where there are few or no financial transactions?**

**Please provide your response in the box below**

There were 10 responses to this part of the question.

**Question 4.67: Should we issue regulations to require businesses to review activities provided to the customer as well as account activity and transaction behaviour? What reviews would you consider to be appropriate?**

**4.67 Should we issue regulations to require businesses to review activities provided to the customer as well as account activity and transaction behaviour?**



Option	Total	Percent
Yes	4	6.78%
No	13	22.03%
Unsure	3	5.08%
Not Answered	39	66.10%

**Please provide further information below**

There were 9 responses to this part of the question.

**What reviews would you consider to be appropriate?**

There were 3 responses to this part of the question.

**Question 4.68: What would be the impact on your compliance costs if we issued regulations to make this change?**

**What would be the impact on your compliance costs if we issued regulations to make this change?**

There were 10 responses to this part of the question.

**Question 4.69: Do you currently review other information beyond what is required in the Act as part of account monitoring? If so, what information do you review and why?**

**4.69 Do you currently review other information beyond what is required in the Act as part of account monitoring?**



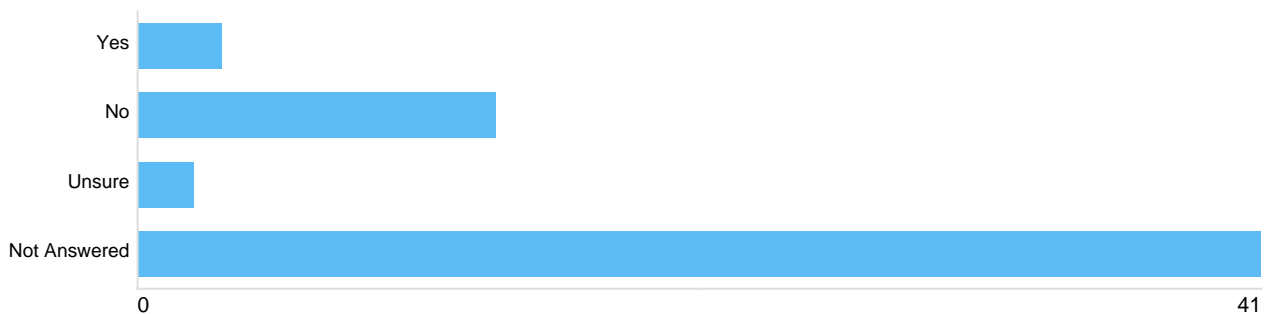
Option	Total	Percent
Yes	6	10.17%
No	13	22.03%
Not Answered	40	67.80%

**If so, what information do you review and why?**

There were 5 responses to this part of the question.

**Question 4.70: Should we issue regulations requiring businesses to review other information where appropriate as part of account monitoring? If so, what information should regulations require businesses to regularly review?**

**4.70 Should we issue regulations requiring businesses to review other information where appropriate as part of account monitoring?**



Option	Total	Percent
Yes	3	5.08%
No	13	22.03%
Unsure	2	3.39%
Not Answered	41	69.49%

**Please provide further information below**

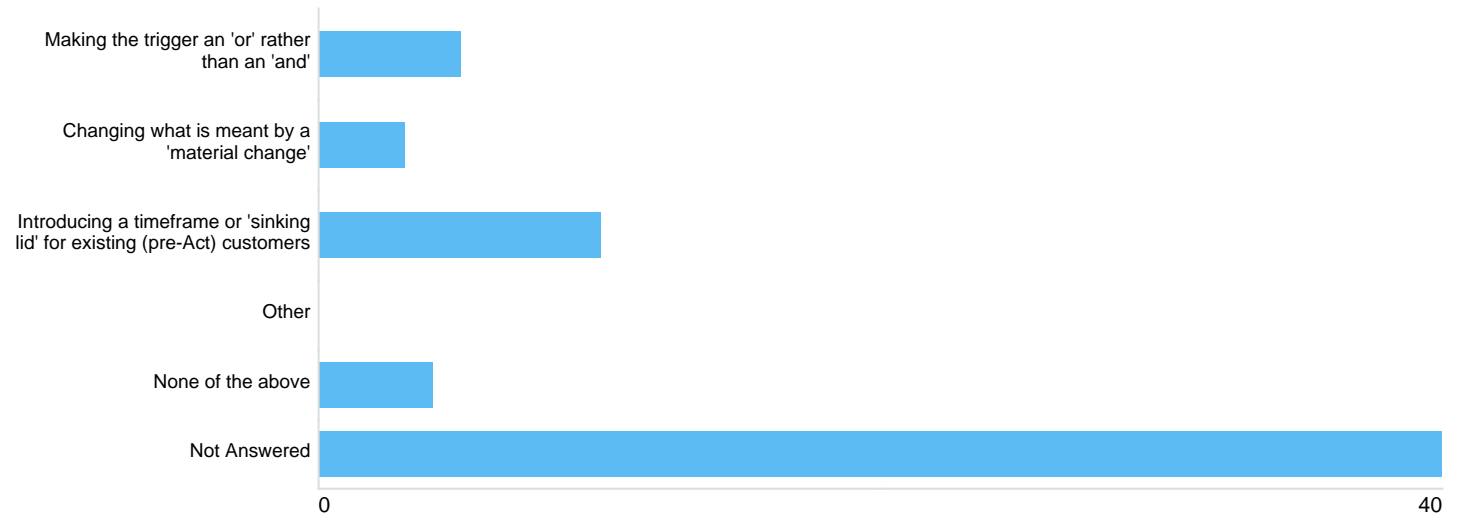
There were 6 responses to this part of the question.

**If you answered yes, what information should regulations require businesses to regularly review?**

There were 2 responses to this part of the question.

**Question 4.71: How could we ensure that existing (pre-Act) customers are subject to the appropriate level of CDD? Are any of the options appropriate and are there any other options we have not identified? What would be the cost implications of the options?**

**4.71checkbox**



Option	Total	Percent
Making the trigger an 'or' rather than an 'and'	5	8.47%
Changing what is meant by a 'material change'	3	5.08%
Introducing a timeframe or 'sinking lid' for existing (pre-Act) customers	10	16.95%
Other	0	0.00%
None of the above	4	6.78%
Not Answered	40	67.80%

**Why? Please provide further details below**

There were **14** responses to this part of the question.

**Are there any other options for ensuring existing (pre-Act) customers are subject to the appropriate levels of CDD?**

There were **8** responses to this part of the question.

**What would be the cost implications of the options?**

There were **6** responses to this part of the question.

**Question 4.72: Should the Act set out what can constitute tipping off and set out a test for businesses to apply to determine whether conducting CDD or enhanced CDD may tip off a customer?**

**4.72 Should the Act set out what can constitute tipping off and set out a test for businesses to apply to determine whether conducting CDD or enhanced CDD may tip off a customer?**



Option	Total	Percent
Yes	9	15.25%
No	6	10.17%
Unsure	3	5.08%
Not Answered	41	69.49%

**Why? Please provide more information below**

There were **7** responses to this part of the question.

**Question 4.73: Once suspicion has been formed, should reporting entities have the discretion not to conduct enhanced CDD to avoid tipping off?**

**4.73 Once suspicion has been formed, should reporting entities have the discretion not to conduct enhanced CDD to avoid tipping off?**



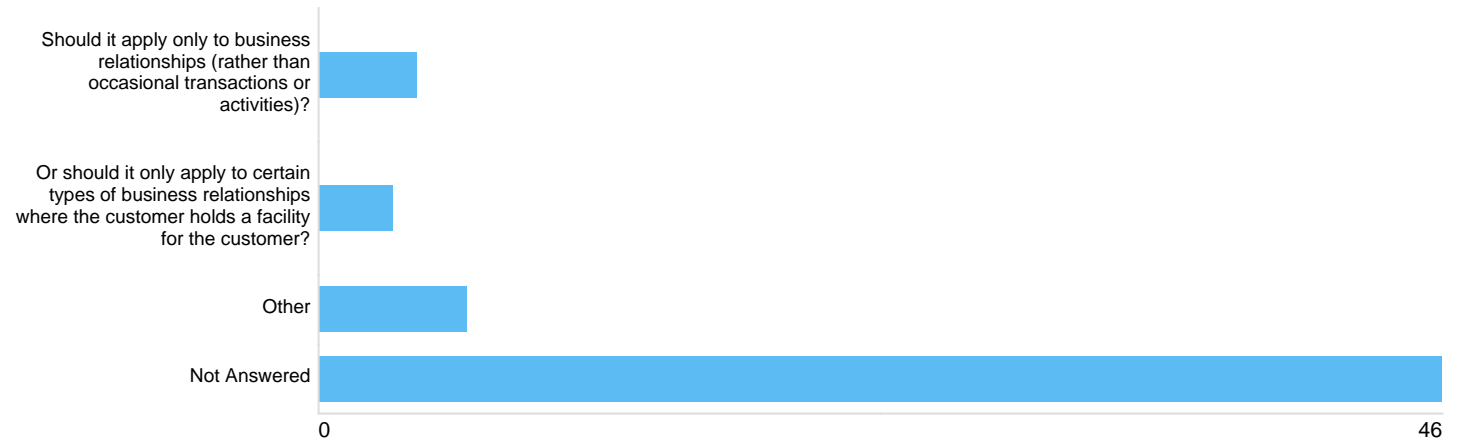
Option	Total	Percent
Yes	16	27.12%
No	2	3.39%
Unsure	1	1.69%
Not Answered	40	67.80%

**Please provide any further information below**

There were **9** responses to this part of the question.

**Question 4.74: If you answered yes to question 4.73, in what circumstances should this apply? For example, should it apply only to business relationships (rather than occasional transactions or activities)? Or should it only apply to certain types of business relationships where the customer holds a facility for the customer (such as a bank account)?**

**4.74 If so, in what circumstances should this apply? For example, should it apply only to business relationships (rather than occasional transactions or activities)? Or should it only apply to certain types of business relationships where the customer holds a facility for the customer (such as a bank account)?**



Option	Total	Percent
Should it apply only to business relationships (rather than occasional transactions or activities)?	4	6.78%
Or should it only apply to certain types of business relationships where the customer holds a facility for the customer?	3	5.08%
Other	6	10.17%
Not Answered	46	77.97%

**If other, please provide details in the box below**

There were **5** responses to this part of the question.

**Why? Please provide further detail below**

There were **4** responses to this part of the question.

**Question 4.75: Are there any other challenges with the existing requirements to conduct enhanced CDD as soon as practicable after becoming aware that a SAR must be reported? How could we address those challenges?**

**4.75** Are there any other challenges with the existing requirements to conduct enhanced CDD as soon as practicable after becoming aware that a SAR must be reported?



Option	Total	Percent
Yes	8	13.56%
No	6	10.17%
Not Answered	45	76.27%

**What are those challenges?**

There were 9 responses to this part of the question.

**If yes, how could we address those challenges?**

There were 5 responses to this part of the question.

**Question 4.76: Do you have any challenges with complying with your record keeping obligations? How could we address those challenges?**

**4.76** Do you have any challenges with complying with your record keeping obligations?



Option	Total	Percent
Yes	8	13.56%
No	10	16.95%
Not Answered	41	69.49%

**Please provide more detail below**

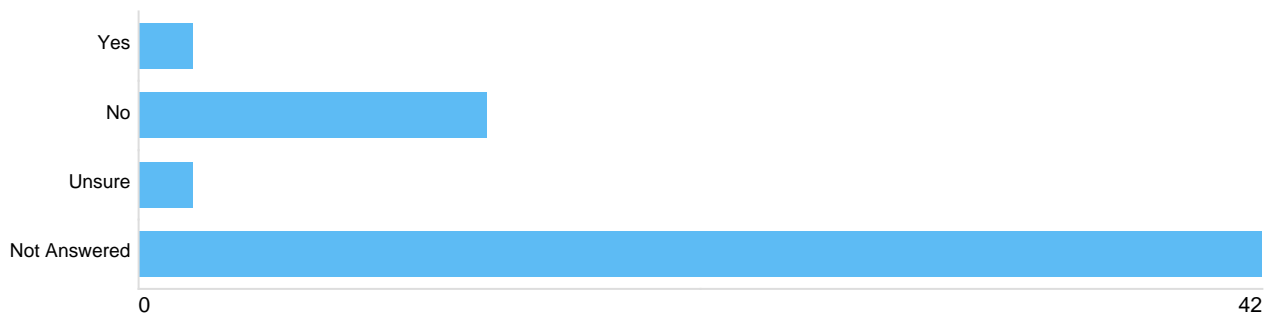
There were 10 responses to this part of the question.

**If yes, how could we address those challenges?**

There were 3 responses to this part of the question.

**Question 4.77: Are there any other records we should require businesses to keep, depending on the nature of their business?**

**4.77** Are there any other records we should require businesses to keep, depending on the nature of their business?



Option	Total	Percent
Yes	2	3.39%
No	13	22.03%
Unsure	2	3.39%
Not Answered	42	71.19%

***If yes, what are the other records and why should they be kept?***

There were 4 responses to this part of the question.

**Question 4.78: Does the exemption from keeping records of the parties to a transaction where the transaction is outside a business relationship or below the occasional transaction threshold hinder reconstruction of transactions? If so, should the exemption be modified or removed?**

***4.78 Does the exemption from keeping records of the parties to a transaction where the transaction is outside a business relationship or below the occasional transaction threshold hinder reconstruction of transactions?***



Option	Total	Percent
Yes	2	3.39%
No	10	16.95%
Unsure	4	6.78%
Not Answered	43	72.88%

***If so, should the exemption be modified or removed?***

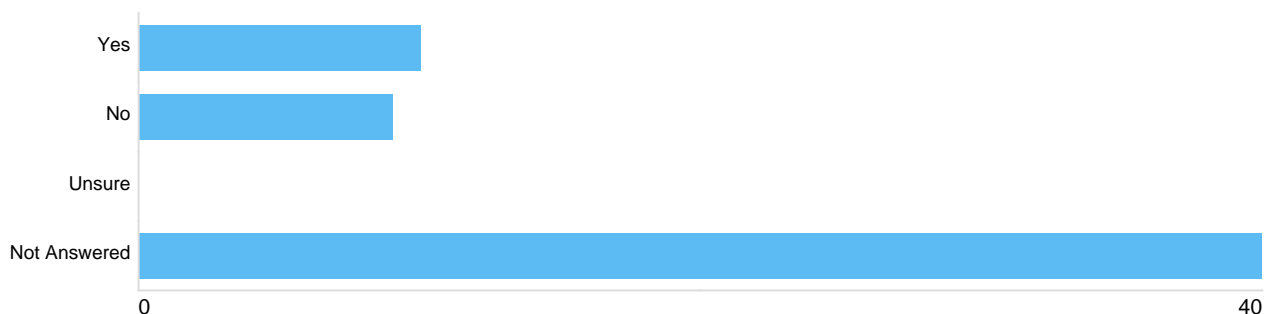
There were 3 responses to this part of the question.

***Why? Please provide any additional information***

There were 3 responses to this part of the question.

**Question 4.79: Do you have any challenges with complying with the obligations regarding politically exposed persons? How could we address those challenges?**

***4.79 Do you have any challenges with complying with the obligations regarding politically exposed persons?***



Option	Total	Percent
Yes	10	16.95%
No	9	15.25%
Unsure	0	0.00%
Not Answered	40	67.80%

***Please provide any additional information below***

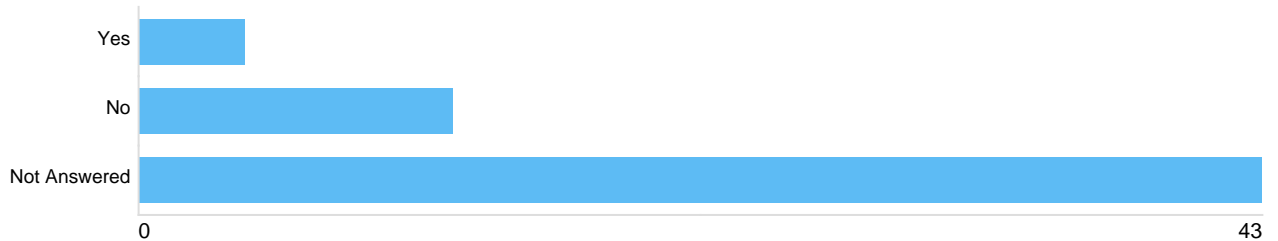
There were 11 responses to this part of the question.

***If you answered yes, how could we address those challenges?***

There were 9 responses to this part of the question.

**Question 4.80: Do you take any additional steps to mitigate the risks of politically exposed persons (PEPs) that are not required by the Act? What are those steps and why do you take them?**

***4.80 Do you take any additional steps to mitigate the risks of politically exposed persons (PEPs) that are not required by the Act?***



Option	Total	Percent
Yes	4	6.78%
No	12	20.34%
Not Answered	43	72.88%

***If yes, what are those steps and why do you take them?***

There were 7 responses to this part of the question.

**Question 4.81: How do you currently treat customers who are domestic PEPs or PEPs from international organisations?**

***How do you currently treat customers who are domestic PEPs or PEPs from international organisations?***

There were 13 responses to this part of the question.

**Question 4.82: Should the definition of “politically exposed persons” be expanded to include domestic PEPs and/or PEPs from international organisations? If so, what should the definitions be?**

***4.82 Should the definition of "politically exposed persons" be expanded to include domestic PEPs and/or PEPs from international organisations?***



Option	Total	Percent
Yes	8	13.56%
No	9	15.25%
Unsure	3	5.08%
Not Answered	39	66.10%

***Please provide any additional information below***

There were 9 responses to this part of the question.

***If you answered yes, how do you think these terms should be defined?***

There was 1 response to this part of the question.



**Question 4.83: If we included domestic PEPs, should we also include political candidates and persons who receive party donations to improve the integrity of our electoral financing regime?**

*4.83 If we included domestic PEPs, should we also include political candidates and persons who receive party donations to improve the integrity of our electoral financing regime?*



Option	Total	Percent
Yes	7	11.86%
No	8	13.56%
Unsure	4	6.78%
Not Answered	40	67.80%

*Please provide any further comments in the box below*

There were **8** responses to this part of the question.

**Question 4.84: What would be the cost implications of such a measure for your business or sector?**

*4.84 What would be the cost implications of such a measure for your business or sector?*

There were **10** responses to this part of the question.

**Question 4.85: How do you currently treat customers who were once PEPs?**

*4.85 How do you currently treat customers who were once PEPs?*

There were **12** responses to this part of the question.

**Question 4.86: Should we require a risk-based approach to determine whether a customer who no longer occupies a public function should still nonetheless be treated as a PEP?**

*4.86 Should we require a risk-based approach to determine whether a customer who no longer occupies a public function should still nonetheless be treated as a PEP?*



Option	Total	Percent
Yes	11	18.64%
No	7	11.86%
Not Answered	41	69.49%

*4.86 If you want to elaborate on your choice please provide your comments in the box below*

There were **7** responses to this part of the question.

**Question 4.87: Would a risk-based approach to former PEPs impact compliance costs compared to the current prescriptive approach?**

**4.87 Would a risk-based approach to former PEPs impact compliance costs compared to the current prescriptive approach?**



Option	Total	Percent
Yes	11	18.64%
No	6	10.17%
Not Answered	42	71.19%

**4.87 Please provide any further comments you would like to make in the box below**

There were 5 responses to this part of the question.

**Question 4.88: What steps do you take, proactive or otherwise, to determine whether a customer is a foreign PEP?**

**4.88 What steps do you take, proactive or otherwise, to determine whether a customer is a foreign PEP?**

There were 15 responses to this part of the question.

**Question 4.89: Do you consider the Act's use of "take reasonable steps" aligns with the FATF's expectations that businesses have risk management systems in place to enable proactive steps to be taken to identify whether a customer or beneficial owner is a foreign PEP? If not, how can we make it clearer?**

**4.89 Do you consider the Act's use of "take reasonable steps" aligns with the FATF's expectations that businesses have risk management systems in place to enable proactive steps to be taken to identify whether a customer or beneficial owner is a foreign PEP?**



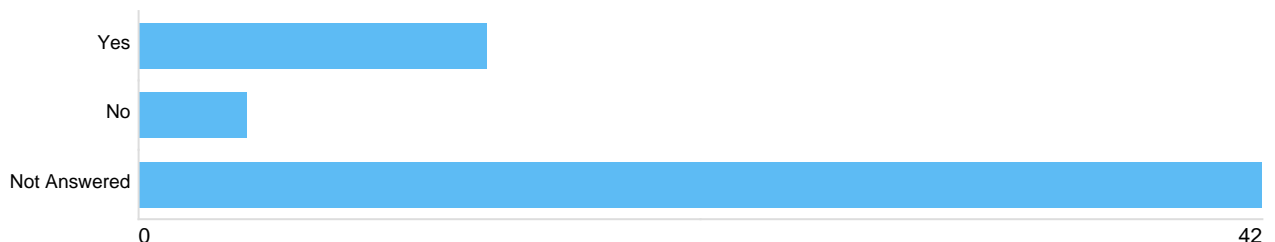
Option	Total	Percent
Yes	10	16.95%
No	8	13.56%
Not Answered	41	69.49%

**4.89 If not, how can we make it clearer?**

There were 7 responses to this part of the question.

**Question 4.90: Should the Act clearly allow businesses to consider their level of exposure to foreign PEPs when determining the extent to which they need to take proactive steps?**

**4.90 Should the Act clearly allow businesses to consider their level of exposure to foreign PEPs when determining the extent to which they need to take proactive steps?**



Option	Total	Percent
Yes	13	22.03%
No	4	6.78%
Not Answered	42	71.19%

**4.90 Please provide any further comments you would like to make in the box below**

There were 5 responses to this part of the question.

**Question 4.91: Should the Act mandate that businesses undertake the necessary checks to determine whether the customer or beneficial owner is a foreign PEP before the relationship is established or occasional activity or transaction is conducted?**

**4.91 Should the Act mandate that businesses undertake the necessary checks to determine whether the customer or beneficial owner is a foreign PEP before the relationship is established or occasional activity or transaction is conducted?**



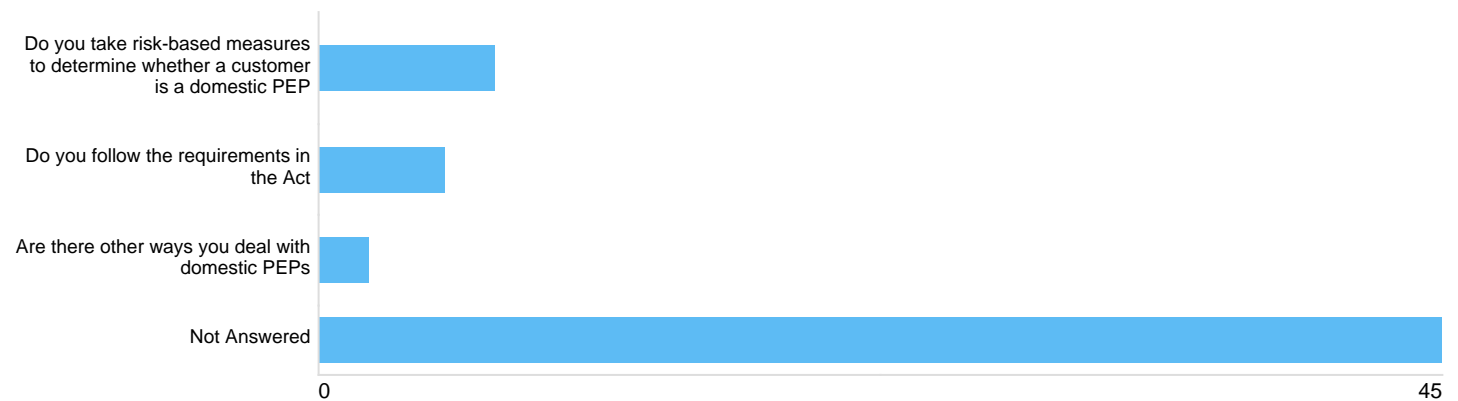
Option	Total	Percent
Yes	9	15.25%
No	8	13.56%
Not Answered	42	71.19%

**4.91 Please provide any further comments in the box below**

There were 5 responses to this part of the question.

**Question 4.92: How do you currently deal with domestic PEPs or international organisation PEPs? For example, do you take risk-based measures to determine whether a customer is a domestic PEP, even though our law does not require this to be done?**

**4.92 How do you currently deal with domestic PEPs or international organisation PEPs? For example, do you take risk-based measures to determine whether a customer is a domestic PEP, even though our law does not require this to be done?**



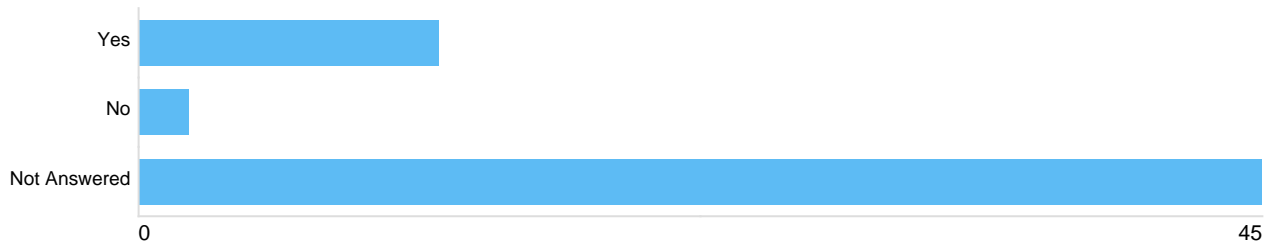
Option	Total	Percent
Do you take risk-based measures to determine whether a customer is a domestic PEP	7	11.86%
Do you follow the requirements in the Act	5	8.47%
Are there other ways you deal with domestic PEPs	2	3.39%
Not Answered	45	76.27%

**4.92 If there are other ways you currently deal with domestic PEPs or international organisation PEPs please indicate what you do in the box below**

There were 5 responses to this part of the question.

**Question 4.93: If we include domestic PEPs and PEPs from international organisations within scope of the Act, should the Act allow for businesses to take reasonable steps, according to the level of risk involved, to determine whether a customer or beneficial owner is a domestic or international organisation PEP?**

*4.93 If we include domestic PEPs and PEPs from international organisations within scope of the Act, should the Act allow for businesses to take reasonable steps, according to the level of risk involved, to determine whether a customer or beneficial owner is a domestic or international organisation PEP?*



Option	Total	Percent
Yes	12	20.34%
No	2	3.39%
Not Answered	45	76.27%

**4.93 Please provide any further comments in the box below**

There were 5 responses to this part of the question.

**Question 4.94: What would the cost implications of including domestic PEPs and PEPs from international organisations be for your business or sector?**

*4.94 What would the cost implications of including domestic PEPs and PEPs from international organisations be for your business or sector?*

There were 8 responses to this part of the question.

**Question 4.95: Should businesses be required to take reasonable steps to determine whether the beneficiary (or beneficial owner of a beneficiary) of a life insurance policy is a PEP before any money is paid out?**

*4.95 Should businesses be required to take reasonable steps to determine whether the beneficiary (or beneficial owner of a beneficiary) of a life insurance policy is a PEP before any money is paid out?*



Option	Total	Percent
Yes	4	6.78%
No	9	15.25%
Not Answered	46	77.97%

**4.95 Please provide any comments you have in the box below**

There were 3 responses to this part of the question.

**Question 4.96: What would be the cost implications of requiring life insurers to determine whether a beneficiary is a PEP?**

*4.96 What would be the cost implications of requiring life insurers to determine whether a beneficiary is a PEP?*

There were 2 responses to this part of the question.

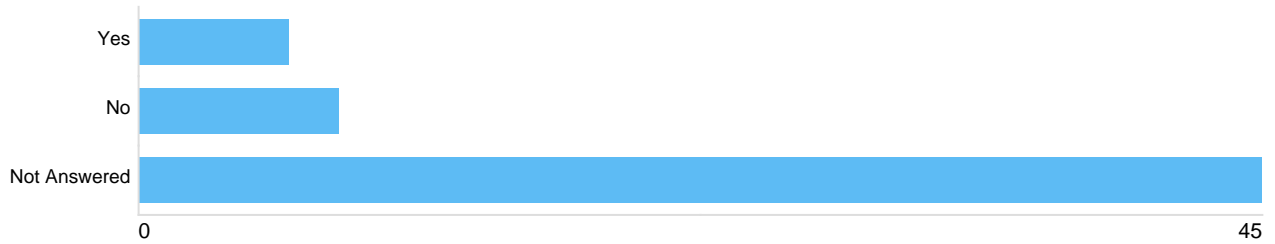
**Question 4.97: What steps do you currently take to mitigate the risks of customers who are PEPs?**

*4.97 What steps do you currently take to mitigate the risks of customers who are PEPs?*

There were 9 responses to this part of the question.

**Question 4.98: Should the Act mandate businesses take the necessary mitigation steps the FATF expects for all foreign PEPs, and, if domestic or international organisation PEPs are included within scope, where they present higher risks?**

*4.98 Should the Act mandate businesses take the necessary mitigation steps the FATF expects for all foreign PEPs, and, if domestic or international organisation PEPs are included within scope, where they present higher risks?*



Option	Total	Percent
Yes	6	10.17%
No	8	13.56%
Not Answered	45	76.27%

**4.98 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.99: What would be the cost implications of requiring businesses to take further steps to mitigate the risks of customers who are PEPs?**

*4.99 What would be the cost implications of requiring businesses to take further steps to mitigate the risks of customers who are PEPs?*

There were 7 responses to this part of the question.

**Question 4.100: Should businesses be required to assess their exposure to designated individuals or entities?**

*4.100 Should businesses be required to assess their exposure to designated individuals or entities?*



Option	Total	Percent
Yes	7	11.86%
No	6	10.17%
Not Answered	46	77.97%

**Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.101: What support would businesses need to conduct this assessment?**

*4.101 Please provide your comments in the box below*

There were 8 responses to this part of the question.

**Question 4.102: If we require businesses to assess their proliferation financing risks, what should the requirement look like? Should this assessment be restricted to the risk of sanctions evasion (in line with FATF standards) or more generally consider proliferation financing risks?**

*4.102 Please provide your comments in the box below*

There were 7 responses to this part of the question.

**Question 4.103: Should legislation require businesses to include, as part of their AML/CFT programme, policies, procedures, and controls to implement TFS obligations without delay? How prescriptive should the requirement be?**

*4.103 Please provide your comments in the box below*

There were 8 responses to this part of the question.

**Question 4.104: What support would businesses need to develop such policies, procedures, and controls?**

*4.104 Please provide your comments in the box below*

There were 9 responses to this part of the question.

**Question 4.105: How should businesses receive timely updates to sanctions lists?**

*4.105 Please provide your comments in the box below*

There were 9 responses to this part of the question.

**Question 4.106: Do we need to amend the Act to ensure all businesses are receiving timely updates to sanctions lists? If so, what would such an obligation look like?**

*4.106 Please provide your comments in the box below*

There were 8 responses to this part of the question.

**Question 4.107: How can we support and enable businesses to identify associates and persons acting on behalf of designated persons or entities?**

*4.107 Please provide your comments in the box below*

There were 7 responses to this part of the question.

**Question 4.108: Do you currently screen for customers and transactions involving designated persons and entities? If so, what is the process that you follow?**

*4.108 Please provide your comments in the box below*

There were 9 responses to this part of the question.

**Question 4.109: How could the Act support businesses to screen customers and transactions to ensure they do not involve designated persons and entities? Are any obligations or safe harbours required?**

*4.109 Please provide your comments in the box below*

There were 9 responses to this part of the question.

**Question 4.110: If we created obligations in the Act, how could we ensure that the obligations can be implemented efficiently and that we minimise compliance costs?**

*4.110 Please provide your comments in the box below*

There were 8 responses to this part of the question.

**Question 4.111: How can we streamline current reporting obligations and ensure there is an appropriate notification process for property frozen in compliance with regulations issued under the United Nations Act?**

*4.111 Please provide your comments in the box below*

There were 8 responses to this part of the question.

**Question 4.112: If we included a new reporting obligation in the Act which complies with UN and FATF requirements, how could that obligation look? How could we ensure there is no duplication of reporting requirements?**

*4.112 Please provide your comments in the box below*

There were 7 responses to this part of the question.

**Question 4.113: Should the government provide assurance to businesses that have frozen assets that the actions taken are appropriate?**

**Assurance to businesses**



Option	Total	Percent
Yes	8	13.56%
No	0	0.00%
Unsure	2	3.39%
Not Answered	49	83.05%

**4.113 Please provide your comments in the box below**

There were 2 responses to this part of the question.

**Question 4.114: If so, what could that assurance look like and how would it work?**

**4.114 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.115: Are the requirements for managing the risks of correspondent banking relationships set out in section 29 still fit-for-purpose or do they need updating?**

**Requirements for managing the risks of correspondent banking relationships**



Option	Total	Percent
Yes	2	3.39%
No	1	1.69%
Unsure	7	11.86%
Not Answered	49	83.05%

**4.115 Please provide your comments in the box below**

There were 2 responses to this part of the question.

**Question 4.116: Are you aware of any correspondent relationships in non-banking sectors? If so, do you consider those relationships to be risky and should the requirements in section 29 also apply to those correspondent relationships?**

***Correspondent relationships in non-banking sectors***



Option	Total	Percent
Yes	1	1.69%
No	4	6.78%
Unsure	4	6.78%
Not Answered	50	84.75%

***4.116 Please provide your comments in the box below***

There were 3 responses to this part of the question.

**Question 4.117: If you are a money or value transfer service (MVTS) provider which uses agents, how do you currently maintain visibility of how many agents you have?**

***4.117 Please provide your comments in the box below***

There were 4 responses to this part of the question.

**Question 4.118: Should a MVTS provider be required to maintain a current list of its agents as part of its AML/CFT programme?**

***MVTS provider and requirement to provide a current list of agents***



Option	Total	Percent
Yes	4	6.78%
No	1	1.69%
Unsure	1	1.69%
Not Answered	53	89.83%

***4.118 Please provide your comments in the box below***

There were 2 responses to this part of the question.



**Question 4.119: Should a MVTS provider be explicitly required to monitor and manage its agents for compliance with its AML/CFT programme (including vetting and training obligations)?**

*MVTS provider requirements for its AML/CFT programme*



Option	Total	Percent
Yes	5	8.47%
No	0	0.00%
Unsure	1	1.69%
Not Answered	53	89.83%

**4.119 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.120: Should the Act explicitly state that a MVTS provider is responsible and liable for AML/CFT compliance of any activities undertaken by its agent? Why or why not?**

*Whether MVTS provider is responsible and liable for AML/CFT compliance of any activities undertaken by its agent*



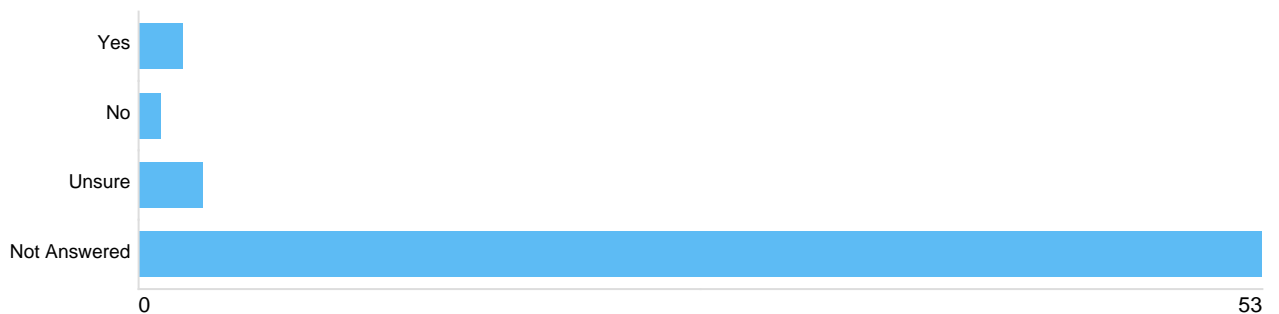
Option	Total	Percent
Yes	5	8.47%
No	0	0.00%
Unsure	1	1.69%
Not Answered	53	89.83%

**4.120 Why or why not?**

There were 3 responses to this part of the question.

**Question 4.121: If you are an MVTS provider which uses agents, do you currently include your agents in your programme, and monitor them for compliance (including conducting vetting and training)? Why or why not?**

*MVTS provider and agents*



Option	Total	Percent
Yes	2	3.39%
No	1	1.69%
Unsure	3	5.08%
Not Answered	53	89.83%

**4.121 Why or why not?**

There were 3 responses to this part of the question.

**Question 4.122: Should we issue regulations to explicitly require MVTs providers to monitor and manage its agents for compliance with its AML/CFT programme (including vetting and training obligations)? Why or why not?**

**Regulations to explicitly require MVTs providers to monitor and manage its agents for compliance**



Option	Total	Percent
Yes	5	8.47%
No	0	0.00%
Unsure	1	1.69%
Not Answered	53	89.83%

**4.122 Why or why not?**

There were 3 responses to this part of the question.

**Question 4.123: What would be the cost implications of requiring MVTs providers to include agents in their programmes?**

**4.123 Please provide your comments in the box below**

There were 3 responses to this part of the question.

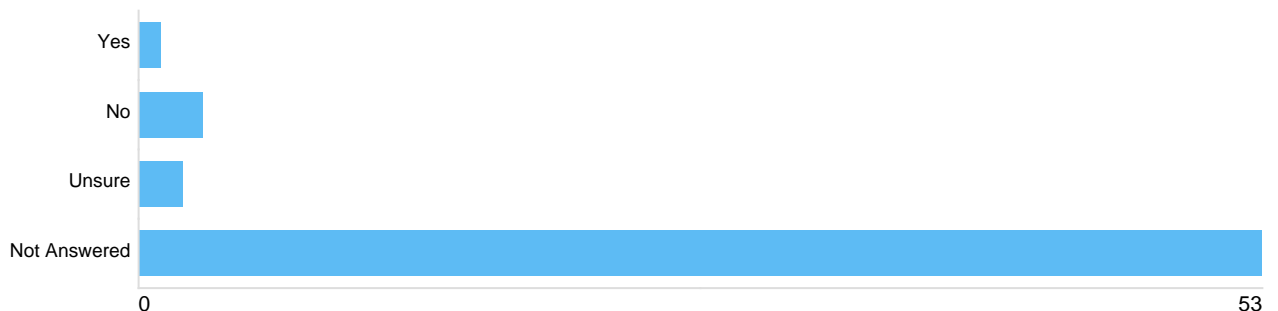
**Question 4.124: Who should be responsible for the AML/CFT compliance for sub-agents for MVTs providers which use a multi-layer approach? Should it be the MVTs provider, the master agent, or both?**

**4.124 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.125: Should we issue regulations to declare that master agents are reporting entities under the Act in their own right? Why or why not?**

**Master agents**



Option	Total	Percent
Yes	1	1.69%
No	3	5.08%
Unsure	2	3.39%
Not Answered	53	89.83%

**4.125 Why or why not?**

There were 3 responses to this part of the question.

**Question 4.126: What would be the cost implications of requiring MVTs providers to include agents in their programmes?**

**4.126 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.127: What risks with new products or technologies have you identified in your business or sector? What do you currently do with those risks?**

**4.127 Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.128: Should we issue regulations to explicitly require businesses to assess risks in relation to the development of new products, new business practices (including new delivery mechanisms), and using new or developing technologies for both new and pre-existing products? Why or why not?**

**Development of new products, new business practices (including new delivery mechanisms), and using new or developing technologies**



Option	Total	Percent
Yes	4	6.78%
No	4	6.78%
Unsure	3	5.08%
Not Answered	48	81.36%

**4.128 Why or why not?**

There were 7 responses to this part of the question.

**Question 4.129: If so, should the risks be assessed prior to the launch or use of any new products or technologies?**

**4.129 Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.130: What would be the cost implications of explicitly requiring businesses to assess the risks of new products or technologies?**

**4.130 Please provide your comments in the box below**

There were 8 responses to this part of the question.

**Question 4.131: Should we issue regulations to explicitly require businesses to mitigate risks identified with new products or technologies? Why or why not?**

Yes/No/Unsure



Option	Total	Percent
Yes	3	5.08%
No	10	16.95%
Unsure	3	5.08%
Not Answered	43	72.88%

**4.131 Why or why not?**

There were 6 responses to this part of the question.

**Question 4.132: Would there be any cost implications of explicitly requiring business to mitigate the risks of new products or technologies?**

Yes/No/Unsure



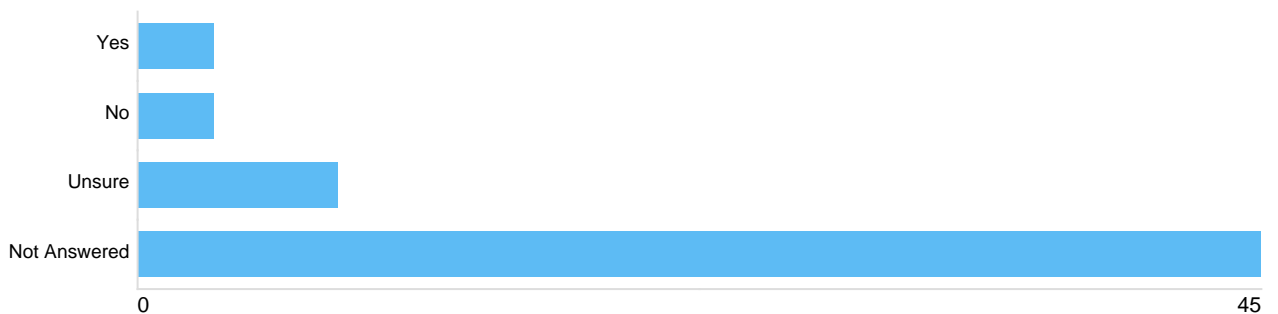
Option	Total	Percent
Yes	9	15.25%
No	0	0.00%
Unsure	6	10.17%
Not Answered	44	74.58%

**4.132 If yes, what are your views?**

There were 6 responses to this part of the question.

**Question 4.133: Are there any obligations we need to tailor for virtual asset service providers? Is there any further support that we should provide to assist them with complying with their obligations?**

Yes/No/Unsure



Option	Total	Percent
Yes	3	5.08%
No	3	5.08%
Unsure	8	13.56%
Not Answered	45	76.27%

**4.133 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.134: Should we set specific thresholds for occasional transactions for virtual asset service providers? Why or why not?**

*Yes/No/Unsure*



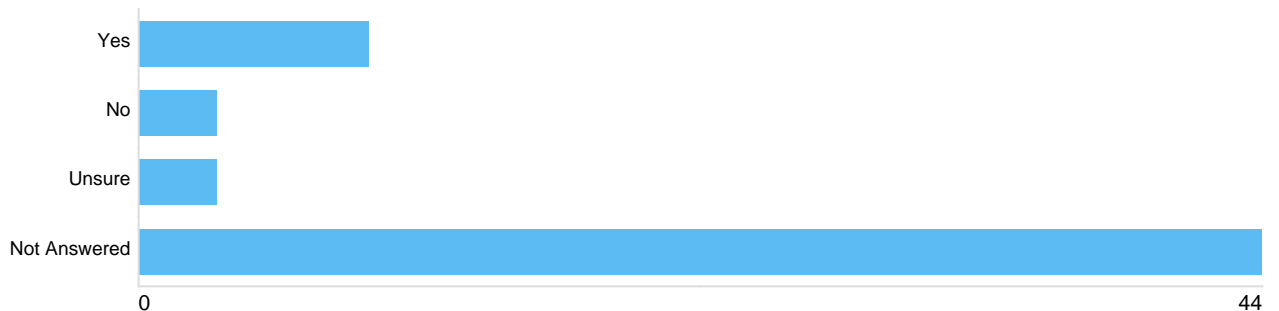
Option	Total	Percent
Yes	5	8.47%
No	3	5.08%
Unsure	5	8.47%
Not Answered	46	77.97%

**4.134 Why or why not?**

There were 4 responses to this part of the question.

**Question 4.135: If so, should the threshold be set at NZD 1,500 (in line with the FATF standards) or NZD 1,000 (in line with the Act's existing threshold for currency exchange and wire transfers)? Why?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	9	15.25%
No	3	5.08%
Unsure	3	5.08%
Not Answered	44	74.58%

**4.135 Why?**

There were 9 responses to this part of the question.

**Question 4.136: Are there any challenges that we would need to navigate in setting occasional transaction thresholds for virtual assets?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	1	1.69%
No	4	6.78%
Unsure	6	10.17%
Not Answered	48	81.36%

**4.136 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.137: Should we issue regulations to declare that transfers of virtual assets to be cross-border wire transfers? Why or why not?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	5	8.47%
No	4	6.78%
Unsure	3	5.08%
Not Answered	47	79.66%

**4.137 Why or why not?**

There were 6 responses to this part of the question.

**Question 4.138: Would there be any challenges with taking this approach? How could we address those challenges?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	3	5.08%
No	2	3.39%
Unsure	5	8.47%
Not Answered	49	83.05%

**4.138 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.139: What challenges have you encountered with the definitions involved in a wire transfer, including international wire transfers?**

**4.139 Please provide your comments in the box below**

There were 11 responses to this part of the question.

**Question 4.140: Do the definitions need to be modernised and amended to be better reflect business practices? If so, how?**

**Yes/No/Unsure**



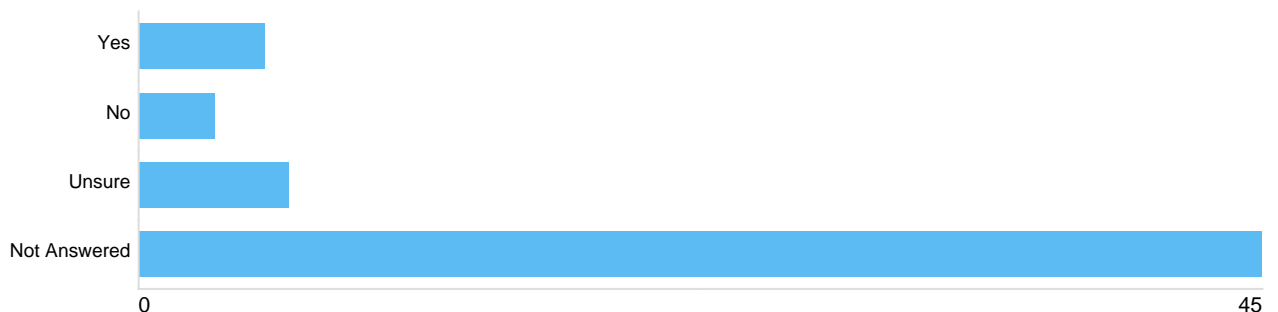
Option	Total	Percent
Yes	7	11.86%
No	3	5.08%
Unsure	5	8.47%
Not Answered	44	74.58%

**4.140 If so, how?**

There were 6 responses to this part of the question.

**Question 4.141: Are there any other issues with the definitions that we have not identified?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	5	8.47%
No	3	5.08%
Unsure	6	10.17%
Not Answered	45	76.27%

**4.141 If yes, what are your views?**

There were 6 responses to this part of the question.

**Question 4.142: What information, if any, do you currently provide when conducting wire transfers below NZD 1000?**

*4.142 Please provide your comments in the box below*

There were **10** responses to this part of the question.

**Question 4.143: Should we issue regulations requiring wire transfers below NZD 1000 to be accompanied with some information about the originator and beneficiary? Why or why not?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	3	5.08%
No	9	15.25%
Unsure	3	5.08%
Not Answered	44	74.58%

**4.143 Why or why not?**

There were **9** responses to this part of the question.

**Question 4.144: What would be the cost implications from requiring specific information be collected for and accompany wire transfers of less than NZD 1000?**

*4.144 Please provide your comments in the box below*

There were **9** responses to this part of the question.

**Question 4.145: How do you currently treat wire transfers which lack the required information about the originator or beneficiary, including below the NZD 1000 threshold?**

*4.145 Please provide your comments in the box below*

There were **5** responses to this part of the question.

**Question 4.146: Should ordering institutions be explicitly prohibited from executing wire transfers in all circumstances where information about the parties is missing, including information about the beneficiary? Why or why not?**

*Yes/No/Unsure*





Option	Total	Percent
Yes	4	6.78%
No	6	10.17%
Unsure	5	8.47%
Not Answered	44	74.58%

**4.146 Why or why not?**

There were 7 responses to this part of the question.

**Question 4.147: Would there be any impact on compliance costs if an explicit prohibition existed for ordering institutions?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	6	10.17%
No	2	3.39%
Unsure	5	8.47%
Not Answered	46	77.97%

**4.147 If yes, what are your views?**

There were 6 responses to this part of the question.

**Question 4.148: When acting as an intermediary institution, what do you currently do with information about the originator and beneficiary?**

*4.148 Please provide your comments in the box below*

There were 4 responses to this part of the question.

**Question 4.149: Should we amend the Act to mandate intermediary institutions to retain the information with the wire transfer? Why or why not?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	3	5.08%
No	1	1.69%
Unsure	5	8.47%
Not Answered	50	84.75%

**4.149 Why or why not?**

There were 3 responses to this part of the question.

**Question 4.150: If you act as an intermediary institution, do you do some or all of the following: • keep records where relevant information cannot be passed along in the domestic leg of a wire transfer where technical limitations prevent the information from being accompanied? • take reasonable measures to identify international wire transfers lacking the required information? • have risk-based policies in place for determining what to do with wire transfers lacking the required information?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	1	1.69%
No	2	3.39%
Unsure	5	8.47%
Not Answered	51	86.44%

**4.150 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.151: Should we issue regulations requiring intermediary institutions to take these steps, in line with the FATF standards? Why or why not?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	2	3.39%
No	3	5.08%
Unsure	5	8.47%
Not Answered	49	83.05%

**4.151 Why or why not?**

There were 4 responses to this part of the question.

**Question 4.152: What would be the cost implications from requiring intermediary institutions to take these steps?**

**4.152 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.153: Do you currently take any reasonable measures to identify international wire transfers that lack required information? If so, what are those measures and why do you take them?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	4	6.78%
No	2	3.39%
Unsure	3	5.08%
Not Answered	50	84.75%

**4.153 If so, what are those measures and why do you take them?**

There were 5 responses to this part of the question.

**Question 4.154: Should we issue regulations requiring beneficiary institutions to take reasonable measures, which may include post-event or real time monitoring, to identify international wire transfers that lack the required originator or beneficiary information?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	3	5.08%
No	6	10.17%
Unsure	2	3.39%
Not Answered	48	81.36%

**4.154 If yes, what are your views?**

There were 5 responses to this part of the question.

**Question 4.155: What would be the cost implications from requiring beneficiary institutions to take these steps?**

**4.155 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.156: Are the prescribed transaction reporting requirements clear, fit for purpose, and relevant? If not, what improvements or changes do we need to make?**

Yes/No/Unsure



Option	Total	Percent
Yes	4	6.78%
No	6	10.17%
Unsure	4	6.78%
Not Answered	45	76.27%

**4.156 If not, what improvements or changes do we need to make?**

There were 6 responses to this part of the question.

**Question 4.157: Have you encountered any challenges in complying with your prescribed transaction reporting (PTR) obligations? What are those challenges and how could we resolve them?**

Yes/No/Unsure



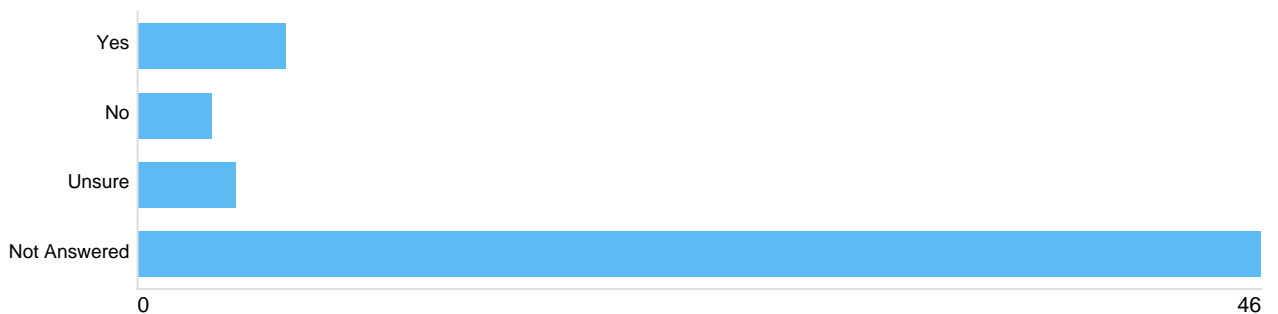
Option	Total	Percent
Yes	6	10.17%
No	6	10.17%
Unsure	1	1.69%
Not Answered	46	77.97%

**4.157 If yes, what are those challenges and how could we resolve them?**

There were 6 responses to this part of the question.

**Question 4.158: Should we issue regulations or a Code of Practice to provide more clarity about the sorts of transactions that require a PTR?**

Yes/No/Unsure



Option	Total	Percent
Yes	6	10.17%
No	3	5.08%
Unsure	4	6.78%
Not Answered	46	77.97%

**4.158 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.159: If so, what transactions have you identified where the PTR obligation is unclear? What makes the reporting obligation unclear, and how could we clarify the obligation?**

**4.159 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.160: Should non-bank financial institutions (other than MVTs providers) and DNFBPs be required to report PTRs for international fund transfers?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	5	8.47%
No	6	10.17%
Unsure	2	3.39%
Not Answered	46	77.97%

**4.160 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.161: If so, should the PTR obligations on non-bank financial institutions and DNFBPs be separate to those imposed on banks and MVTs providers?**

**4.161 Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.162: Are there any other options to ensure that New Zealand has a robust PTR obligation that maximises financial intelligence available to the FIU, while minimising the accompanying compliance burden across all reporting entities?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	2	3.39%
No	4	6.78%
Unsure	6	10.17%
Not Answered	47	79.66%

**4.162 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.163: Should we amend the existing regulatory exemption for intermediary institutions so that it does not apply to MVTs providers?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	2	3.39%
No	2	3.39%
Unsure	4	6.78%
Not Answered	51	86.44%

**4.163 Please provide your comments in the box below**

There were 2 responses to this part of the question.

**Question 4.164: Are there any alternative options that we should consider which ensure that financial intelligence on international wire transfers is collected when multiple MVTs providers are involved in the transaction?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	1	1.69%
No	2	3.39%
Unsure	4	6.78%
Not Answered	52	88.14%

**4.164 If yes, what are your views?**

There were 2 responses to this part of the question.

**Question 4.165: Are there any other intermediary institutions that should be included in the exemption?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	2	3.39%
No	1	1.69%
Unsure	4	6.78%
Not Answered	52	88.14%

**4.165 If yes, what are your views?**

There was 1 response to this part of the question.

**Question 4.166: Are there situations you have encountered where submitting a PTR within the required 10 working days has been challenging? What was the cause of that situation and what would have been an appropriate timeframe?**

*Yes/No/Unsure*



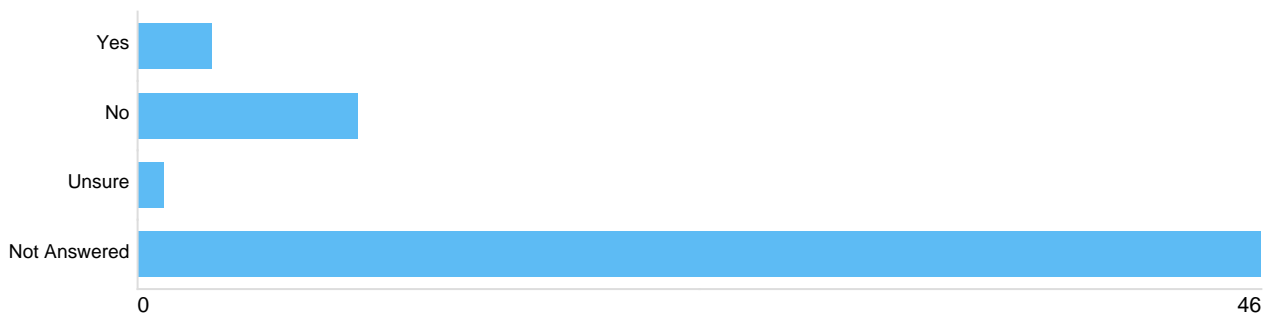
Option	Total	Percent
Yes	3	5.08%
No	7	11.86%
Unsure	2	3.39%
Not Answered	47	79.66%

**4.166 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.167: Do you consider that a lower threshold for PTRs to be more in line with New Zealand’s risk and context? If so, what would be the appropriate threshold for reporting?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	3	5.08%
No	9	15.25%
Unsure	1	1.69%
Not Answered	46	77.97%

**4.167 If so, what would be the appropriate threshold for reporting?**

There were 6 responses to this part of the question.

**Question 4.168: Are there any practical issues not identified in this document that we should address before changing any PTR threshold?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	5	8.47%
No	2	3.39%
Unsure	4	6.78%
Not Answered	48	81.36%

**4.168 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.169: How much would a change in reporting threshold impact your business?**

**4.169 Please provide your comments in the box below**

There were 7 responses to this part of the question.

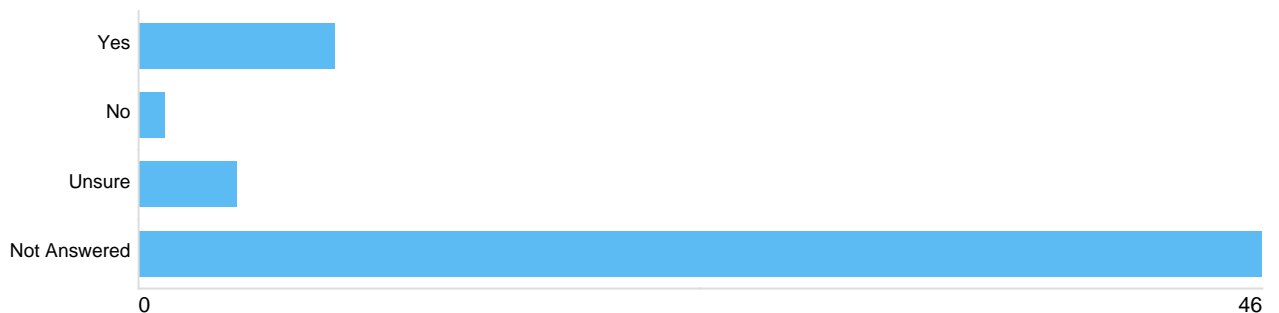
**Question 4.170: How much time would you need to implement the change?**

**4.170 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.171: Do you use any of the reliance provisions in the AML/CFT Act? If so, which provisions do you use?**

*Yes/No/Unsure*





Option	Total	Percent
Yes	8	13.56%
No	1	1.69%
Unsure	4	6.78%
Not Answered	46	77.97%

**4.171 If so, what provisions do you use?**

There were 6 responses to this part of the question.

**Question 4.172: Are there any barriers to you using reliance to the extent you would like to?**

*Yes/No/Unsure*



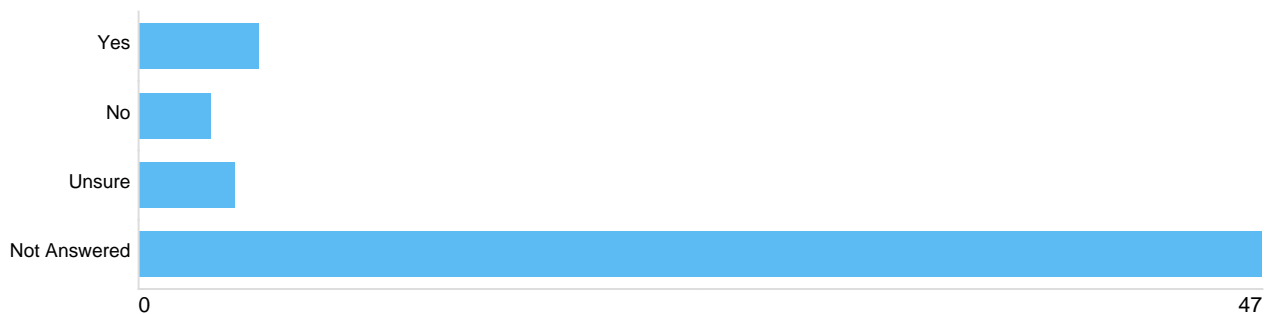
Option	Total	Percent
Yes	9	15.25%
No	1	1.69%
Unsure	4	6.78%
Not Answered	45	76.27%

**4.172 Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.173: Are there any changes that could be made to the reliance provisions that would mean you used them more? If so, what?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	5	8.47%
No	3	5.08%
Unsure	4	6.78%
Not Answered	47	79.66%

**4.173 If so, what?**

There were 5 responses to this part of the question.

**Question 4.174: Given the ‘approved entities’ approach is inconsistent with FATF standards and no entities have been approved, should we continue to have an ‘approved entities’ approach?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	5	8.47%
No	4	6.78%
Unsure	4	6.78%
Not Answered	46	77.97%

**4.174 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.175: If so, how should the government approve an entity for third party reliance? What standards should an entity be required to meet to become approved?**

**4.175 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.176: If your business is a reporting entity, would you want to be an approved entity? Why or why not?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	2	3.39%
No	6	10.17%
Unsure	6	10.17%
Not Answered	45	76.27%

**4.176 Why or why not?**

There were 6 responses to this part of the question.

**Question 4.177: Are there any alternative approaches we should consider to enable liability to be shared during reliance?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	2	3.39%
No	4	6.78%
Unsure	6	10.17%
Not Answered	47	79.66%

**4.177 Please provide your comments in the box below**

There were 2 responses to this part of the question.

**Question 4.178: Should we issue regulations to enable other types of businesses to form DBGs, if so, what are those types of businesses and why should they be eligible to form a DBG?**

*Yes/No/Unsure*



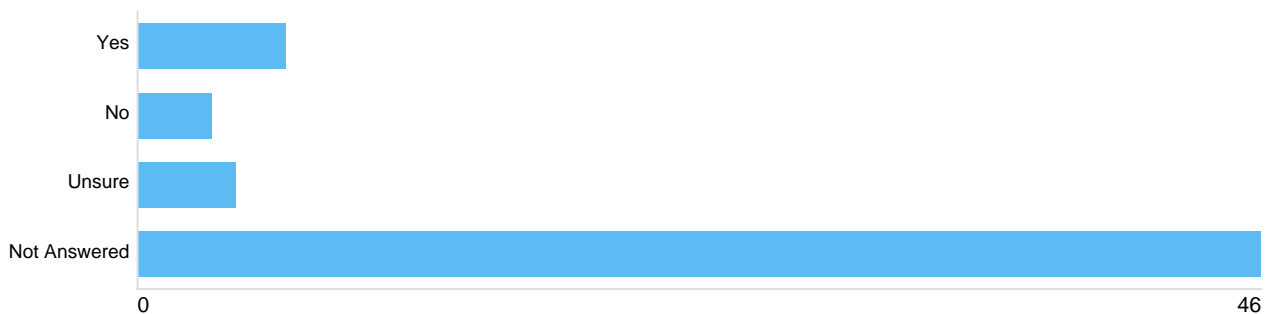
Option	Total	Percent
Yes	4	6.78%
No	2	3.39%
Unsure	7	11.86%
Not Answered	46	77.97%

**4.178 If so, what are those types of businesses and why should they be eligible to form a DBG?**

There were 7 responses to this part of the question.

**Question 4.179: Should we issue regulations to prescribe that overseas DBG members must conduct CDD to the level required by our Act?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	6	10.17%
No	3	5.08%
Unsure	4	6.78%
Not Answered	46	77.97%

**4.179 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.180: Do we need to change existing eligibility criteria for forming DBGs? Why?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	2	3.39%
No	6	10.17%
Unsure	5	8.47%
Not Answered	46	77.97%

**4.180 Why?**

There were 2 responses to this part of the question.

**Question 4.181: Are there any other obligations that DBG members should be able to share?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	3	5.08%
No	2	3.39%
Unsure	7	11.86%
Not Answered	47	79.66%

**4.181 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.182: Should we issue regulations to explicitly require business to do the following before relying on a third party for CDD: • consider the level of country risk when determining whether a third party in another country can be relied upon; • take steps to satisfy themselves that copies of identification data and other relevant documentation will be made available upon request without delay; and • be satisfied that the third party has record keeping arrangements in place.**

*Yes/No/Unsure*



Option	Total	Percent
Yes	6	10.17%
No	7	11.86%
Unsure	2	3.39%
Not Answered	44	74.58%

**4.182 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.183: Would doing so have an impact on compliance costs for your business? If so, what is the nature of that impact?**

*Yes/No/Unsure*



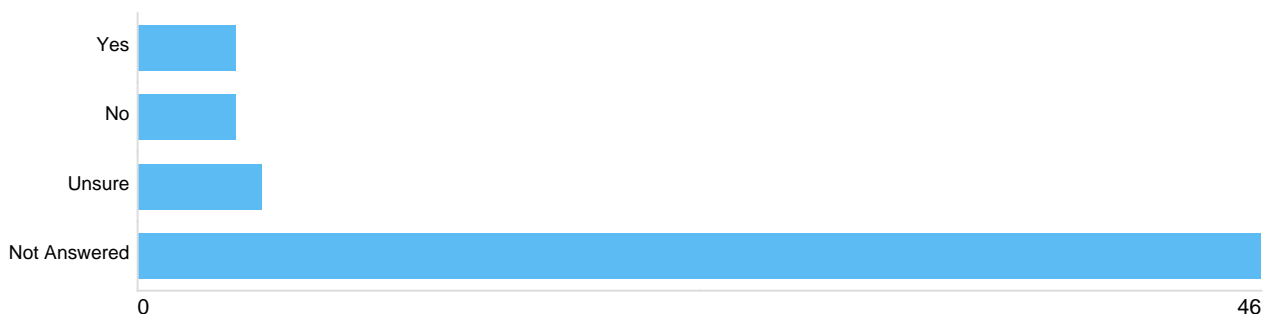
Option	Total	Percent
Yes	6	10.17%
No	1	1.69%
Unsure	4	6.78%
Not Answered	48	81.36%

**4.183 If so, what is the nature of that impact?**

There were 5 responses to this part of the question.

**Question 4.184: Are there any other issues or improvements that we can make to third party reliance provisions?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	4	6.78%
No	4	6.78%
Unsure	5	8.47%
Not Answered	46	77.97%

**4.184 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.185: Are there other forms of reliance that we should enable? If so, how would those reliance relationships work?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	8	13.56%
No	1	1.69%
Unsure	3	5.08%
Not Answered	47	79.66%

**4.185 If so, how would those reliance relationships work?**

There were 5 responses to this part of the question.

**Question 4.186: What conditions should be imposed to ensure we do not inadvertently increase money laundering and terrorism financing vulnerabilities by allowing for other forms of reliance?**

**4.186 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.187: Are the minimum requirements set out still appropriate? Are there other requirements that should be prescribed, or requirements that should be clarified?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	9	15.25%
No	2	3.39%
Unsure	2	3.39%
Not Answered	46	77.97%

**4.187 Please provide your comments in the box below**

There were 5 responses to this part of the question.

**Question 4.188: Should the Act mandate that compliance officers need to be at the senior management level of the business, in line with the FATF standards?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	6	10.17%
No	7	11.86%
Unsure	4	6.78%
Not Answered	42	71.19%

**4.188 Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.189: Should the Act clarify that compliance officers must be natural persons, to avoid legal persons being appointed as compliance officers?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	12	20.34%
No	4	6.78%
Unsure	1	1.69%
Not Answered	42	71.19%

**4.189 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.190: If you are a member of a financial or non-financial group, do you already implement a group-wide programme even though it is not required?**

**4.190 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.191: Should we mandate that groups of financial and non-financial businesses implement group-wide programmes to address the risks groups are exposed to?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	6	10.17%
No	3	5.08%
Unsure	2	3.39%
Not Answered	48	81.36%

**4.191 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.192: Do we need to clarify expectations regarding reviewing and keeping AML/CFT programmes up to date? If so, how should we clarify what is required?**

*Yes/No/Unsure*



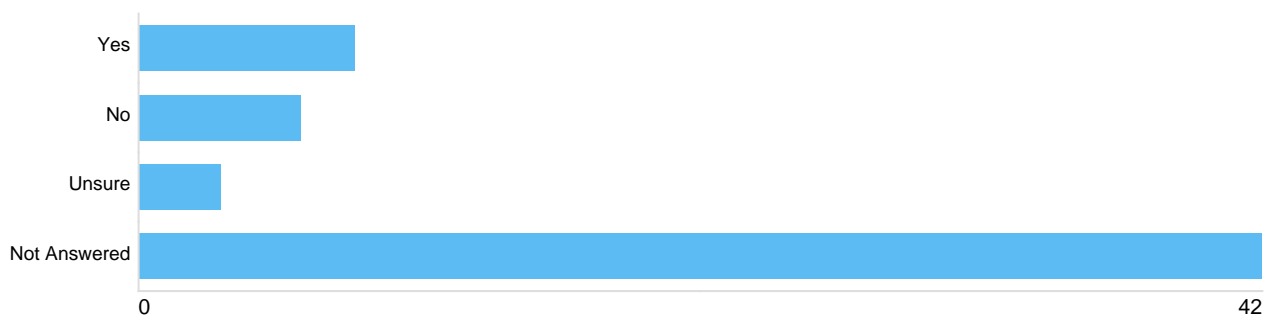
Option	Total	Percent
Yes	10	16.95%
No	5	8.47%
Unsure	1	1.69%
Not Answered	43	72.88%

**4.192 If so, how should we clarify what is required?**

There were 7 responses to this part of the question.

**Question 4.193: Should legislation state that the purpose of independent audits is to test the effectiveness of a business's AML/CFT system?**

*Yes/No/Unsure*





Option	Total	Percent
Yes	8	13.56%
No	6	10.17%
Unsure	3	5.08%
Not Answered	42	71.19%

**4.193 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.194: What other improvements or changes could we make to the independent audit or review requirements to ensure the obligation is useful for businesses without imposing unnecessary compliance costs?**

**4.194 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.195: How can we better enable businesses to understand and mitigate the risk of the countries they deal with, and determine whether countries have sufficient or insufficient AML/CFT systems and measures in place? For example, would a code of practice (rather than guidance) setting out the steps that businesses should take when considering country risk be useful?**

**4.195 Please provide your comments in the box below**

There were 10 responses to this part of the question.

**Question 4.196: Should we issue regulations to impose proportionate and appropriate countermeasures to mitigate the risk of countries on FATF's blacklist?**

**Yes/No/Unsure**



Option	Total	Percent
Yes	4	6.78%
No	5	8.47%
Unsure	4	6.78%
Not Answered	46	77.97%

**4.196 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.197: If so, what do you think would be appropriate measures to counter the risks these countries pose?**

**4.197 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.198: Is the FATF blacklist an appropriate threshold? If not, what threshold would you prefer?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	4	6.78%
No	2	3.39%
Unsure	6	10.17%
Not Answered	47	79.66%

**4.198 If not, what threshold would you prefer?**

There were 4 responses to this part of the question.

**Question 4.199: Should we use section 155 to impose countermeasures against specific individuals and entities where it is necessary to protect New Zealand from specific money laundering threats?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	4	6.78%
No	1	1.69%
Unsure	7	11.86%
Not Answered	47	79.66%

**4.199 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.200: If so, how can we ensure the power is only used when it is appropriate? What evidence would be required for the Governor-General to decide to impose a countermeasure?**

**4.200 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.201: How can we protect the rights of bona fide third parties?**

**4.201 Please provide your comments in the box below**

There were 4 responses to this part of the question.

**Question 4.202: Should there be a process for affected parties to apply to revoke a countermeasure once made? If so, what could that process look like?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	5	8.47%
No	2	3.39%
Unsure	2	3.39%
Not Answered	50	84.75%

**4.202 If so, what could that process look like?**

There were 4 responses to this part of the question.

**Question 4.203: How can we improve the quality of reports received by the FIU and avoid low-quality, defensive reporting?**

**4.203 Please provide your comments in the box below**

There were 7 responses to this part of the question.

**Question 4.204: What barriers might you have to providing high quality reporting to the FIU?**

**4.204 Please provide your comments in the box below**

There were 9 responses to this part of the question.

**Question 4.205: Should the threshold for reporting be amended to not capture low level offending?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	2	3.39%
No	3	5.08%
Unsure	8	13.56%
Not Answered	46	77.97%

**4.205 Please provide your comments in the box below**

There were 6 responses to this part of the question.

**Question 4.206: Should we expand the circumstances in which SARs or SAR information can be shared? If so, in what circumstances should this information be able to be shared?**

Yes/No/Unsure



Option	Total	Percent
Yes	6	10.17%
No	3	5.08%
Unsure	3	5.08%
Not Answered	47	79.66%

**4.206 If so, in what circumstances should this information be able to be shared?**

There were 5 responses to this part of the question.

**Question 4.207: Should there be specific conditions that need to be fulfilled before this information can be shared? If so, what conditions should be imposed (e.g. application to the FIU)?**

Yes/No/Unsure



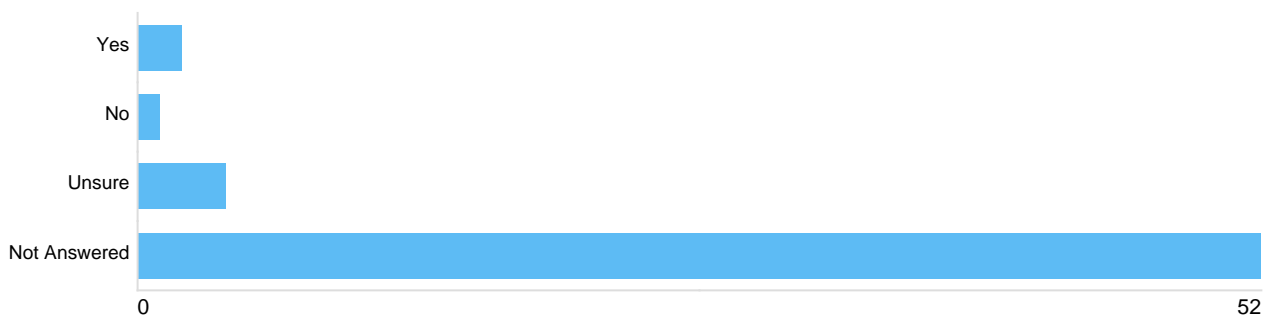
Option	Total	Percent
Yes	4	6.78%
No	2	3.39%
Unsure	6	10.17%
Not Answered	47	79.66%

**4.207 If so, what conditions should be imposed (e.g. application to the FIU)?**

There were 4 responses to this part of the question.

**Question 4.208: Should we issue regulations to state that a MVTs provider that controls both the ordering and beneficiary ends of a wire transfer is required to consider both sides of the transfer to determine whether a SAR is required? Why or why not?**

Yes/No/Unsure



Option	Total	Percent
Yes	2	3.39%
No	1	1.69%
Unsure	4	6.78%
Not Answered	52	88.14%

**4.208 Why or why not?**

There were 3 responses to this part of the question.

**Question 4.209: If a SAR is required, should it be explicitly stated that it must be submitted in any jurisdiction where it is relevant?**

**4.209 Yes/No/Unsure**



Option	Total	Percent
Yes	2	3.39%
No	2	3.39%
Unsure	4	6.78%
Not Answered	51	86.44%

**4.209 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.210: Should we extend additional AML/CFT obligations to high value dealers? Why or why not? If so, what should their obligations be?**

**If yes, what are your views?**



Option	Total	Percent
Yes	5	8.47%
No	3	5.08%
Unsure	2	3.39%
Not Answered	49	83.05%

**4.210 Why or why not? If so, what should their obligations be?**

There were 5 responses to this part of the question.

**Question 4.211: Should all high value dealers have increased obligations, or only certain types, e.g., dealers in precious metals and stones, motor vehicle dealers?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	3	5.08%
No	5	8.47%
Unsure	2	3.39%
Not Answered	49	83.05%

**4.211 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 4.212: Are there any new risks in the high value dealer sector that you are seeing?**

*Yes/No/Unsure*



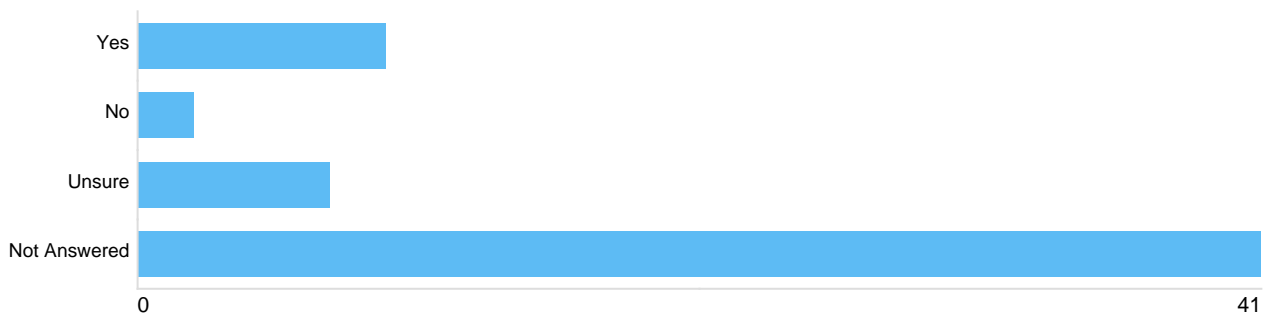
Option	Total	Percent
Yes	2	3.39%
No	4	6.78%
Unsure	3	5.08%
Not Answered	50	84.75%

**4.212 Please provide your comments in the box below**

There were 3 responses to this part of the question.

**Question 5.1: Should the AML/CFT Act define the point at which a movement of cash or other instruments becomes an import or export?**

*Yes/No/Unsure*



Option	Total	Percent
Yes	9	15.25%
No	2	3.39%
Unsure	7	11.86%
Not Answered	41	69.49%

**Should AML define when cash becomes import or export**

There were 5 responses to this part of the question.

**Question 5.2: Should the timing of the requirement to complete a BCR be set to the time any Customs trade and/or mail declaration is made, before the item leaves New Zealand, for exports, and the time at which the item arrives in New Zealand, for imports?**

**Should timing of BCR be set to time of Customs trade**



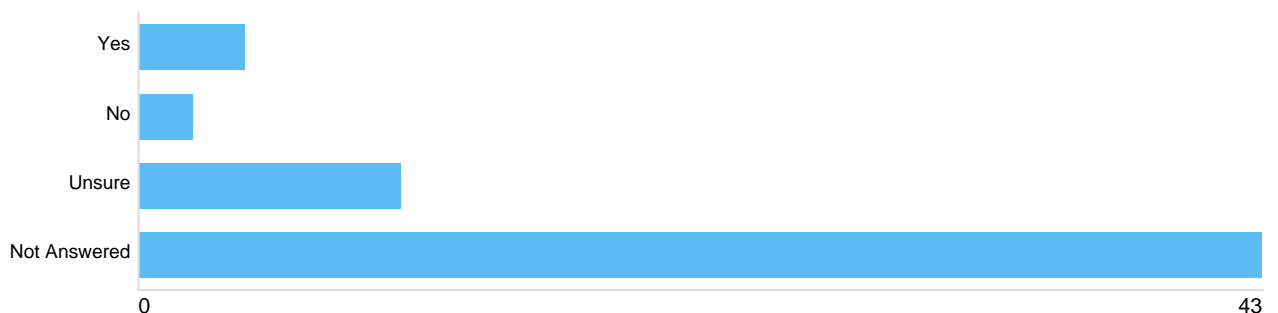
Option	Total	Percent
Yes	3	5.08%
No	2	3.39%
Unsure	11	18.64%
Not Answered	43	72.88%

**Should completing BCR be set to time Customs trade is made**

There were 2 responses to this part of the question.

**Question 5.3: Should there be instances where certain groups or categories of vessel are not required to complete a BCR (for example, cruise ships or other vessels with items on board, where those items are not coming off the vessel)?**

**Instances where groups or vessel not required to complete BCR**



Option	Total	Percent
Yes	4	6.78%
No	2	3.39%
Unsure	10	16.95%
Not Answered	43	72.88%

**If you answered 'yes', please give reasons for your answer.**

There were 2 responses to this part of the question.

**Question 5.4: How can we ensure the penalties for non-declared or falsely declared transportation of cash are effective, proportionate, and dissuasive?**

***How to ensure penalties are effective***

There were 6 responses to this part of the question.

**Question 5.5: Should the Act allow for Customs officers to detain cash even where it is declared appropriately through creating a power, similar to an unexplained wealth order that could be applied where people are attempting to move suspiciously large volumes of cash?**

***Allow Customs to detain cash***



Option	Total	Percent
Yes	4	6.78%
No	3	5.08%
Unsure	8	13.56%
Not Answered	44	74.58%

***If you answered 'yes', please give reasons for your answer.***

There were 4 responses to this part of the question.

**Question 5.6: If you answered 'yes' to the previous question (Question 5.5), how could we constrain this power to ensure it does not constitute an unreasonable search and seizure power?**

***How to ensure Customs power doesn't constitute unreasonable power***

There were 4 responses to this part of the question.

**Question 5.7: Should BCRs be required for more than just physical currency and bearer-negotiable instruments and also include other forms of value movements such as stored value instruments, casino chips, and precious metals and stones?**

***Should BCRs be required for more than physical currency***



Option	Total	Percent
Yes	4	6.78%
No	1	1.69%
Unsure	11	18.64%
Not Answered	43	72.88%

***If you answered 'yes', please give reasons for your answer.***

There were 3 responses to this part of the question.



**Question 5.8: Does the AML/CFT Act properly balance its purposes with the need to protect people’s information and other privacy concerns?**

***Does Act balance need for privacy***



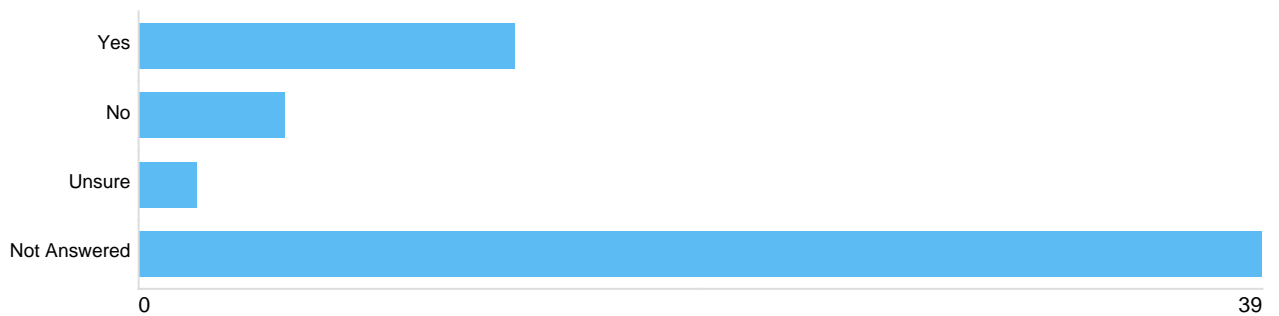
Option	Total	Percent
Yes	7	11.86%
No	9	15.25%
Unsure	5	8.47%
Not Answered	38	64.41%

***If you answered 'no', how could we better protect people’s privacy?***

There were 11 responses to this part of the question.

**Question 5.9: Should we specify in the Act how long agencies can retain information, including financial intelligence held by the FIU?**

***Specify how long agencies can retain information***



Option	Total	Percent
Yes	13	22.03%
No	5	8.47%
Unsure	2	3.39%
Not Answered	39	66.10%

***Please give reasons for your answer.***

There were 7 responses to this part of the question.

**Question 5.10: If you answered 'yes' to the previous question (Question 5.9), what types of information should have retention periods, and what should those periods be?**

***What types of information should have retention periods and what periods***

There were 8 responses to this part of the question.

**Question 5.11: Does the Act appropriately protect the disclosure of legally privileged information?**

*Act protects disclosure of legally privileged information*



Option	Total	Percent
Yes	8	13.56%
No	7	11.86%
Unsure	6	10.17%
Not Answered	38	64.41%

*If you answered 'no', please give reasons for your answer.*

There were 6 responses to this part of the question.

*Are there other circumstances where people should be allowed not to disclose information if it is privileged?*

There were 5 responses to this part of the question.

**Question 5.12: Is the process for testing assertions that a document or piece of information is privileged set out in section 159A appropriate?**

*Process for testing privileged information appropriate*



Option	Total	Percent
Yes	5	8.47%
No	5	8.47%
Unsure	10	16.95%
Not Answered	39	66.10%

*If you answered 'no', please give reasons for your answer.*

There were 4 responses to this part of the question.

**Question 5.13: What challenges or barriers have you identified that prevent you from harnessing technology to improve efficiencies and effectiveness?**

*Barriers to harnessing technology to improve effectiveness*

There were 10 responses to this part of the question.

*How can we overcome those challenges? Please share your suggestions below.*

There were 8 responses to this part of the question.

**Question 5.14: What additional challenges or barriers may exist which would prevent the adoption of digital identity once the Digital Identity Trust Framework is established and operational?**

**Barriers preventing adoption of digital identity**

There were 9 responses to this part of the question.

**How can we overcome those challenges?**

There were 6 responses to this part of the question.

**Question 5.15: Should we achieve greater harmonisation with Australia’s regulation?**

**Greater harmonisation with Australia's regulation**



Option	Total	Percent
Yes	7	11.86%
No	5	8.47%
Unsure	8	13.56%
Not Answered	39	66.10%

**If you answered yes, tell us why and any suggestions you have for how we could achieve this.**

There were 9 responses to this part of the question.

**Question 5.16: How can we ensure the AML/CFT system is resilient to long- and short-term challenges?**

**How to ensure AML is resilient to challenges**

There were 12 responses to this part of the question.

**Question 6.1: What are your views regarding the minor changes we have identified?**

**Views regarding minor changes identified**

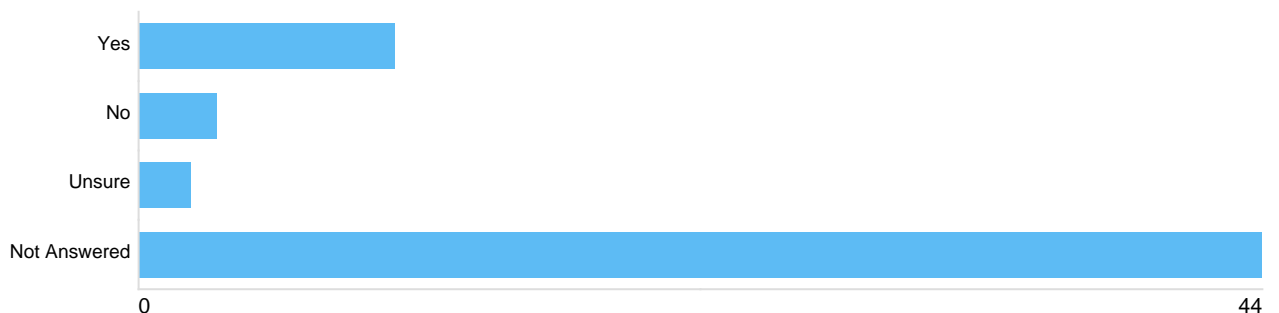
There were 9 responses to this part of the question.

**Are there any changes you don't support? Please tell us what they are and why you don't support them.**

There were 6 responses to this part of the question.

**Question 6.2: Are there any other minor changes that we should make to the Act or regulations?**

**Any other changes to Act or regulations**



Option	Total	Percent
Yes	10	16.95%
No	3	5.08%
Unsure	2	3.39%
Not Answered	44	74.58%

***If you answered 'yes', please share your suggestions.***

There were **10** responses to this part of the question.