



Australian Government

**Australian Transaction Reports
and Analysis Centre**

AUSTRAC business
profile form

**explanatory
guide**

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Introduction

From 1 November 2011, new mandatory enrolment and registration requirements came into effect for reporting entities under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) (AML/CTF Act).

If your business provides a designated service under section 6 of the AML/CTF Act, it is a reporting entity and the new requirements will apply.

Cash dealers under the Financial Transaction Reports Act 1988 who do not provide a designated service are not required to enrol.

Enrolment

If your business is a reporting entity it is mandatory that it enrolls with the Australian Transaction Reports and Analysis Centre (AUSTRAC).

Deadlines for enrolment

Your business must enrol with AUSTRAC within:

- 28 days from 1 November 2011 if it provided a designated service in October 2011
- 28 days after it first commenced providing a designated service if the designated service was provided after 1 November 2011.

How to enrol with AUSTRAC

- To enrol with AUSTRAC your business must:
- complete and submit the AUSTRAC business profile form; and
- obtain and keep the information required under Part B of Chapter 63 of the *Anti-Money Laundering and Counter-Terrorism Financing Rules* (AML/CTF Rules). A copy of the AML/CTF Rules is available at: www.austrac.gov.au/aml_ctf_rules.html. A checklist of the information your business must obtain and keep is included in Appendix A of this guide.

Your business is only required to enrol with AUSTRAC once, regardless of the number of designated services it provides.

AML/CTF Rules – Your business is required to notify AUSTRAC within 14 days of any changes to its enrolment details. Your business can change its enrolment details through AUSTRAC Online.

If your business ceases to provide designated services or your business structure and/ or status changes, you must submit a Change of Details form to AUSTRAC within 14 days.

Registration

In addition to enrolling with AUSTRAC, if your business provides or will provide remittance services under items 31, 32 and 32A of table 1 of section 6 of the AML/CTF Act, it must apply to **register** with AUSTRAC. Businesses registered with AUSTRAC will appear on the Remittance Sector Register.

Your business may provide remittance services as

- an independent provider (**independent remittance dealer**) – a business that provides remittance services to customers using its own systems and processes, independent of a remittance network
- a network provider (**remittance network provider**) – an organisation that operates a network of remittance affiliates by providing the systems and services that enable its affiliates to provide remittance services
- an affiliate of a network (**remittance affiliate of a registered remittance network provider**) – a business that provides remittance services to customers as part of a remittance network operated by a remittance network provider.

Deadlines for registration

There are different deadlines for registering with AUSTRAC depending on the remittance services your business provides and whether or not your business has previously registered with the Register of Providers of Designated Services.

Independent remittance dealers and affiliates of a registered remittance network provider: If your business provided a remittance service immediately before 1 November 2011 and is registered with the Register of Providers of Designated Remittance Services, the following time frames for registration apply from 1 November 2011:

- Independent remittance dealers – six months to register (registration required before 30 April 2012)
- Affiliates of a remittance network provider – your remittance network provider must register your business on your behalf within 12 months (registration required before 31 October 2012).

Businesses that provide remittance services as both an independent remittance dealer **and** as an affiliate of a remittance network provider **must** register as an independent remittance dealer and, separately, they must also be registered by their remittance network provider as an affiliate of the provider.

Remittance network providers: If your business is a remittance network provider you have 12 months, from 1 November 2011, in which to register (registration required before 31 October 2012).

New remittance businesses: If your business did not provide a remittance service immediately before 1 November 2011 and is not registered on the Register of Providers of Designated Services, your business must register with AUSTRAC **before** it commences providing remittance services. It is a criminal offence to provide a remittance service and not be registered on the Remittance Sector Register.

How to register with AUSTRAC

To register with AUSTRAC, your business must:

- complete the registration section of the AUSTRAC business profile form:
and
- obtain and keep the information specified in Part B of Schedules 1, 2 and 3 of Chapter 56 of the AML/CTF Rules. A copy of the AML/CTF Rules is available at www.austrac.gov.au/aml_ctf_rules.html. A checklist of the information your business must obtain and keep is included in Appendix B of this guide.

AUSTRAC supervisory levy

If your business provides a designated service (including remittance services), you must complete the 'AUSTRAC supervisory levy information' section of the AUSTRAC business profile form. The information you provide will be used to ascertain whether your business will be required to pay the AUSTRAC supervisory levy.

AUSTRAC business profile form explanatory guide

This explanatory guide is designed to assist your business in answering the questions on the AUSTRAC business profile form. To assist you in navigating the form, this guide is divided into seven parts. Each part within this guide corresponds to a tab on the business profile form:

- Business information
- Designated service information
- Registration information
- AUSTRAC supervisory levy information
- Other details
- AUSTRAC Online access
- Declaration and Submit

Each tab within the business profile form is shown below:



Not all parts and questions of the business profile form will be relevant to your business. The questions that appear in your form will depend on your business structure, and your answers to previous questions.

If you click on the headings on the Table of Contents you will be directed to the relevant text to assist you in answering the question.

This guide also includes two checklists detailing the information you will require to enrol or register with AUSTRAC. These checklists are found at Appendix A (information required for enrolment) and Appendix B (information required for registration).

Further information and assistance

The AUSTRAC website contains more information about the obligations to enrol and register under the AML/CTF Act: www.austrac.gov.au. The website also has a range of other [guidance](#) material and legislation, including the AML/CTF Rules.

If you need assistance in completing the AUSTRAC business profile form please contact the AUSTRAC help_desk@austrac.gov.au or phone 1300 021 037 (a local call within Australia).

Business information

Legal name

Your business's 'legal name' is the name of your business as it appears on all official or legal documents. This name may be different to your business's 'trading name'.

Depending on the structure of your business, the legal name of your business may be one of the following:

- **Sole trader** – your own name
- **Company** – the name registered with the Australian Securities and Investments Commission (ASIC) (applies to Australian Private or Public Company) or with the relevant regulator in a foreign country
- **Trust** – the name of the trust as shown in the trust document. It is important that the legal name contains the name of the trustee and trust (for example, Abacus Pty Ltd as Trustee for XYZ Trust)
- **Partnership** – legal names of all the partners. If you are unable to include all the names of the partners, include the names of senior partners
- **Unincorporated association** – the name by which your business is usually known, as stated on any formal documentation (such as charter or rules)
- **Corporation sole** – the name of the office held (for example, the Archbishop of Sydney)
- **Body Politic** – your business's name as stated on any formal document, or the name registered under the relevant Commonwealth or State Act
- Other
 - **Co-operative** – the name registered with or incorporated under the relevant state or territory Act; such as the *Co-operatives Act 1992* (NSW).
 - **Incorporated association** – name registered with or incorporated under the relevant State Act
 - **Superannuation fund** – the name registered with the Australian Prudential Regulation Authority
 - **Joint venture** – the name that appears on the joint venture agreement

- **Syndicates** – name of each individual in the syndicate.

Structure of the business

The business profile form requires you to identify the structure of your business. To assist you in determining your business structure, a brief description of each business type is provided below:

- **Sole trader** – an individual who is the sole business owner and trades in their own name or under a trading name
- **Company** – an entity incorporated under the *Corporations Act 2001*(Cth) or incorporated under the law of a foreign country
- **Trust** – fund or property held or administered by a trustee for the benefit of others
- **Partnership** – a relationship between two or more persons carrying on a business in common with a view to profit
- **Unincorporated association** – a group of people acting together without view to profit (for example, a sporting club)
- **Corporation sole** – corporation consisting of one natural person holding a particular office and his/her successors to that office (for example, the Archbishop of Sydney)
- **Body politic** – a government of the Commonwealth, a State or Territory, or an unincorporated agency that forms part of such a government, or government body incorporated under the law of a Commonwealth, State or Territory for a public purpose.
- Other
 - **Co-operative** – an organisation owned, controlled and used by its members and incorporated under the relevant state or territory Act such as the *Co-operatives Act 1992* (NSW)
 - **Incorporated association** – a corporate body that is registered with or under the relevant State or Territory Act
 - **Superannuation fund** – a fund that is a provident, benefit, superannuation or retirement fund or public sector superannuation fund
 - **Joint venture** – an association of persons for particular trading, mining or other financial activities with a view to mutual profit.
 - **Syndicate** – a group of persons working together for a common purpose.

AML/CTF Rules – your business must obtain and keep the information specified in the AML/CTF Rules for your business structure. A checklist of the information that your business is required to obtain and keep is at Appendix A.

Name and address of trustee or partners

If you are a partnership or trust you are required to answer this section. All other business types will automatically progress to **Registration numbers associated with the business**.

Partnerships

Provide the name and address of two partners:

- **Individual** – if a partner is a natural person, provide contact details for the partners.
- **Company** – if a partner is a company registered in Australia or overseas, provide the following details:
 - Legal name – for an Australian company this is the name registered with the Australian Securities and Investments Commission (ASIC) or, for a foreign company, the name registered with the relevant foreign regulator.
 - Address – the preferred address is the principal place of business. The company's principal place of business is the main place where the company conducts its business, makes decisions or maintains its books and records. It must be a physical address and cannot be a post office box.
 - Business registration numbers – provide details of any registration numbers that apply to the company:
 - **ACN** (Australian Company Number) – the number allocated by Australian Securities and Investments Commission when an entity registers under the *Corporations Act 2001* (Cth)
 - **ABN** (Australian Business Number) – the 11-digit number allocated by the Australian Taxation Office when a business registers with the Australian Business Register
 - **ARBN** (Australian Registered Body Number) – the nine-digit number allocated by Australian Securities and Investments Commission when an entity that is not a corporation (for example, a foreign company) is registered
 - **AFSL** (Australian Financial Services Licence) – the six-digit number issued by the Australian Securities and Investment Commission when an AFSL is granted

- **ACLN** (Australian Credit Licence Number) – the number provided by the Australian Securities and Investments Commission when an entity is registered as a credit provider
- **Numbers associated with a foreign company:** For a foreign company the foreign equivalent of the ACN, ABN, ARBN, AFSL or Australian credit licence number, and the country in which the business number was issued.

AML/CTF Rules - Your business is required to obtain and keep the full name and address (not a post office box address) of each partner.

Trusts

- **Individual** – if a trustee is a natural person, provide contact details for that trustee.
- **Company** – if a trustee is a company registered in Australia or overseas, provide the following details:
 - Legal name – for an Australian company this is the name registered with the Australian Securities and Investments Commission (ASIC) or, for a foreign company, the name registered with the relevant foreign regulator.
 - Address – the preferred address is the principal place of business. The company’s principal place of business is the main place where the company conducts its business, makes decisions or maintains its books and records. It must be a physical address and cannot be a post office box. .
 - Business registration numbers – provide details of any registration numbers that apply to the company:
 - **ACN** (Australian Company Number) – the number allocated by the Australian Securities and Investments Commission when an entity registers under the *Corporations Act 2001* (Cth)
 - **ABN** (Australian Business Number) – the 11-digit number allocated by the Australian Taxation Office when a business registers with the Australian Business Register
 - **ARBN** (Australian Registered Body Number) – the nine-digit number allocated by Australian Securities and Investments Commission when an entity that is not a corporation (for example, a foreign company) is registered

- **AFSL** (Australian Financial Services Licence) – the six-digit number issued by the Australian Securities and Investment Commission when an AFSL is granted
- **ACLN** (Australian Credit Licence Number) – the number provided by the Australian Securities and Investments Commission when an entity is registered as a credit provider
- **Numbers associated with a foreign company:** For a foreign company the foreign equivalent of the ACN, ABN, ARBN, AFSL or Australian credit licence number, and the country in which the business number was issued

AML/CTF Rules – your business must obtain and keep the full name and address (not being a post office box) of each trustee of the trust.

Registration numbers associated with the business

Provide details of any registration numbers associated with the business issued by a national, state or territory regulator.

- **ACN** (Australian Company Number) – the number allocated by the Australian Securities and Investments Commission when an entity registers under the *Corporations Act 2001* (Cth)
- **ABN** (Australian Business Number) – the 11-digit number allocated by the Australian Taxation Office when a business registers with the Australian Business Register
- **ARBN** (Australian Registered Body Number) – the nine-digit number allocated by Australian Securities and Investments Commission when an entity that is not a corporation (for example, a foreign company) is registered
- **AFSL** (Australian Financial Services Licence) – the six-digit number issued by the Australian Securities and Investment Commission when an AFSL is granted
- **ACLN** (Australian Credit Licence Number) – the number provided by the Australian Securities and Investments Commission when an entity is registered as a credit provider
- **Numbers associated with a foreign company:** For a foreign company the foreign equivalent of the ACN, ABN, ARBN, AFSL or Australian credit licence number, and the country in which the business number was issued.

Permanent establishment in Australia or foreign country

A 'permanent establishment' is a place at or through which you carry on a business in Australia or a foreign country.

It operates through a permanent establishment in Australia

You have a permanent establishment in Australia if you carry on your business at or through:

- a physical address such as a shopfront, business premises, house or flat; or
- a mobile service such as a car or truck; or
- while travelling within Australia; and
- your business is physically present in Australia.

You have a permanent establishment in Australia if you carry on your business through an agent that is physically present in Australia. This includes remittance network providers whose affiliates operate in Australia.

It is a resident of Australia and operates through a permanent establishment in a foreign country

Your business is a resident of Australia if:

- **Sole trader** – you ordinarily reside in Australia
- **Company** – your business is incorporated in Australia or your 'business resident' in Australia passes the 'control test' in relation to the company.

To pass the control test in relation to a company:

- the aggregate of the individual's (and, if applicable, the individual's associates') direct voting interest must be 50 per cent or more; or
- the aggregate of the individual's (and, if applicable, the associates') direct control interests must be 15 per cent or more' or
- the company must be sufficiently influenced by the individual (or an associate of the individual); or
- the individual (either alone or together with associates) must be in a position to exercise control over the company.

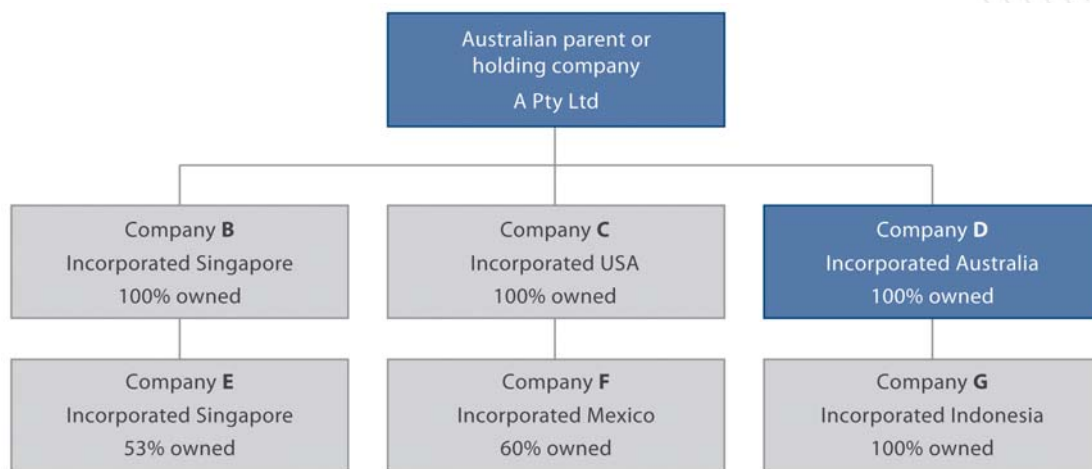
- **Trust** – a trustee of the trust is a resident of Australia or an individual resident in Australia passes the control test in relation to the trust, or a person who benefits or is capable of benefiting under the trust is a resident of Australia.
- To pass the ‘control test’ in relation to a trust:
 - the individual must be the trustee, or part of a group able to remove the trustee or vary the trust deed
 - the individual must have 50 per cent or more beneficial interest in the trust income, or the individual is part of a group that can control the trust income or the trustee.
- **partnership** – a partner is a resident of Australia.
- **corporation sole** – if the corporation sole was established in Australia.
- You operate at or through a permanent establishment in a foreign country if you:
 - have physical offices or business premises in that country;
 - carry on your business in that country;
 - carry on your business in that country through an agent; or
 - provide a mobile service or travel in that country.

It is a subsidiary of a company that is a resident of Australia and operates through a permanent establishment in a foreign country

This question applies to a company that operates or is incorporated in a foreign country and whose parent or holding company is registered in Australia.

A parent or holding company is a company that controls your company through ownership of more than 50 per cent of the voting stock. For example, if Company F incorporated in Mexico is 60 per cent owned by American Company C, which is 100 per cent owned by an Australian registered company, then Company F is a subsidiary of an Australian company.

Subsidiaries of an Australian company



Trading name

Main trading name

If your business trades under a business name that is not the legal name of the business, you must provide the following details.

- Main trading name – this is the name registered under the relevant state or territory Business Names Act or the name by which your suppliers and customers know you.
- Registration number – this is the number allocated to you when you register with the relevant state or territory authority under the Business Names Act or relevant statutory scheme in a foreign country.
- Country – the country that issues your registration number. For Australian businesses registered under state or territory legislation, specify ‘Australia’ rather than the state or territory that issued the registration number.

Additional trading names

If you provide designated services under any other trading name, you must provide the following details:

- Trading name – this is the name registered under the relevant state or territory Business Names Act or the name by which your suppliers and customers know you.
- Registration number – this is the number allocated to you when you register with the relevant state or territory authority under the Business Names Act or relevant statutory scheme in a foreign country.
- Country – the country that issues your registration number. For Australian businesses registered under state or territory legislation specify ‘Australia’ rather than the state or territory that issued the registration number.

Designated services are listed in Tables 1–3 of section 6 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

A copy of section 6 of the AML/CTF Act is available at Appendix C.

Address of principal and registered place of business

Principal place of business

Your business's principal place of business is the main place where you conduct your business, make decisions or maintain books and records. It must be a physical address and cannot be a post office box.

Postal address

Your business's postal address can be the business's principal or registered place of business or a post office box.

Registered office of the business

This question only applies to your business if it is a company. Your registered office is where AUSTRAC will send any notices or correspondence to you. AUSTRAC may also send emails to your nominated email address or correspondence to your postal address.

Your registered office does not need to be your principal place of business. If your business does not occupy the premises, the occupier must have provided written consent to you using the premises as your registered office. For example your registered office may be with a legal practitioner or accountancy firm.

If you are a registered or unregistered foreign company and have appointed a registered agent you must provide their details here. If you are an unregistered foreign company and do not have a registered office you must provide the full address of the company as registered by the relevant foreign registration body.

Contact details for principal place of business

You must provide contact details for your principal place of business including telephone number and fax number and email address if applicable.

Website

If your business has a website, provide the website address.

Primary purpose of business

The primary purpose of your business is your core business activity.

When you select the category that reflects your primary business purpose, the business profile form will provide a selection of business subcategories.

Select the business subcategory that best describes your business activities. Note that you can only select one category and subcategory.

Banking and financial services – subcategories

Bank	Derivatives dealer	Foreign currency	Non-bank financier
Building society	Merchant bank	Friendly society	Pastoral house services
Credit union	Housing society	Fund manager	Securities dealer
Custodian	Financial advisor	Mortgage manager or provider	Finance Corporation

Superannuation and insurance – subcategories

Insurance	Superannuation manager or provider
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Money service businesses – subcategories

Cash carrier	Payroll service	Remittance provider
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Gambling services – subcategories

Betting exchange	Bookmaker (corporate)
Totaliser	Casino
Bookmaker (on-course)	

Hospitality and tourism – subcategories

Pubs and clubs	Hotel	Travel agent
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Retail and consumer products – subcategories

Jeweller	Retail	Motor vehicle dealer
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Other

Accountant	Postal or courier service	Real estate agent
Government body	Precious metal dealer	Solicitor or other legal service
Other		

If you cannot find a subcategory that represents your primary business activity, select the subcategory 'Other' and provide further details.

Designated services information

Does the business provide or propose to provide financial, gambling, or bullion designated services?

If your business **only** provides a remittance or money transfer service, select 'No' and proceed to **Does the business provide or intend to provide remittance services?**

If your business provides a financial, gambling or bullion designated service as specified in Tables 1–3 of section 6 of the AML/CTF Act, you must complete this section. A copy of section 6 of the AML/CTF Act is available at Appendix C.

If your business does not provide a designated service as set out in section 6 of the AML/CTF Act, proceed to **Other details**.

Financial, gambling or bullion designated services that the business provides or proposes to provide

The designated services specified in Tables 1–3 of section 6 of the AML/CTF Act are grouped according to service or product categories within the AUSTRAC business profile form. The table below provides a quick reference to the designated services included in each category. Refer to the tables in section 6 of the AML/CTF Act if you require more detailed information.

Each service or product category has a number of subcategories. In your business profile form, select all service or product categories and subcategories for the designated services your business provides or proposes to provide.

Financial services

Service or product category	Table 1 designated services
Account and deposit taking services (applies only to an authorised deposit-taking institution (ADI), bank, building society or credit union)	Item 1 – opening an account Item 2 – allowing a person to become a signatory to an account Item 3 – allowing a transaction to be conducted in relation to an account Item 4 – accepting money on deposit Item 5 – allowing a transaction to be conducted in relation to a deposit

Issuing chequebooks or debit cards	<p>Item 14 – providing a chequebook or similar facility</p> <p>Item 15 – providing a chequebook in the capacity of a building society or credit union</p> <p>Item 16 – in capacity of trustee or trust manager providing a chequebook or similar facility</p> <p>Item 18 – issuing a debit card</p> <p>Item 18A – issuing debit card to a signatory of the account (other than holder of account)</p> <p>Item 19 – credit union or building society issuing a debit card</p> <p>Item 19A – credit union or building society issuing a debit card to signatory of the account</p> <p>Item 20 – trustee or trust manager issuing a debit card to beneficial owner</p> <p>Item 20A – trustee or trust manager issuing a debit card to a signatory authorised by beneficial owner</p>
Issuing money or postal orders	<p>Item 27 – issuing a money order, postal order or similar order</p> <p>Item 28 – in the capacity of an issuer of a money order, postal order or similar order cashing or redeeming that order</p>
First home saver account (FHSA) services	<p>Item 43A – in the capacity of a FHSA provider accepting a contribution, roll-over or transfer</p> <p>Item 43B – in the capacity of a FHSA provider cashing whole or part of an interest held by a FHSA holder</p>
Financial advisory services	<p>Item 54 – in the capacity of a holder of an Australian financial services licence making arrangements for a person to receive a designated service</p>
Electronic funds transfers	<p>Item 29 – capacity of ordering institution accepting an electronic funds transfer instruction (EFTI)</p> <p>Item 30 – capacity of beneficiary institution making money available as a result of an EFTI</p>

<p>Issuing stored value cards</p>	<p>Item 21 – issuing a stored value card</p> <p>Item 22 – increasing the monetary value on a stored value card</p> <p>Item 23 – issuing a stored value card where value cannot be withdrawn in cash</p> <p>Item 24 – increasing the monetary value on a store value card where the value cannot be withdrawn in cash</p>
<p>Financial instruments</p>	<p>Item 17 – issuing a bill of exchange, promissory note or letter of credit</p> <p>Item 33 – capacity of agent acquiring or disposing of a security, derivative or foreign exchange contract</p> <p>Item 34 – capacity of an agent acquiring or disposing of a bill of exchange, promissory note or letter of credit</p> <p>Item 35 – issuing or selling a security to a person</p> <p>Item 36 – capacity of issuer of a bearer bond redeeming a bearer bond</p>
<p>Custodial and depository services</p>	<p>Item 46 – providing a custodial or depository service</p> <p>Item 47 – providing a safe deposit box or similar facility</p>

Financing products

Item 6 – making a loan

Item 7 – in capacity of lender or assignee allowing borrowing to conduct a transaction in respect to the loan

Item 8 – factoring a receivable

Item 9 – forfeiting a bill of exchange or promissory note

Item 10 – supplying goods by way of a finance lease

Item 11 – capacity of lessor allowing the lessee to conduct a transaction

Item 12 – supplying goods by way of hire-purchase

Item 13 – allowing a person to conduct a transaction by way of hire-purchase

Item 48 – guaranteeing a loan

Item 49 – in capacity of guarantor of a loan making a payment to the lender

Foreign exchange services

Item 25 – issuing a traveller's cheque

Item 26 – in capacity of issuer of traveller's cheques cashing or redeeming traveller's cheques

Item 50 – exchanging one currency for another

Insurance and superannuation services	<p>Item 37 –issuing a life policy or sinking fund policy</p> <p>Item 38 – accepting a premium in relation to a life policy or sinking fund policy</p> <p>Item 39 – making a payment to a person under a life policy or sinking fund policy</p> <p>Item 40 – provider of a pension or annuity accepting payment of a purchase price for a new pension or annuity</p> <p>Item 41 – making payment to a person as a provider of a pension or annuity</p> <p>Item 42 – trustee of a superannuation fund or approved deposit fund accepting a contribution, rollover or transfer</p> <p>Item 43 – trustee of a superannuation fund or approved deposit fund cashing whole or part of an interest held by a member</p> <p>Item 44 – retirement savings account (RSA) provider accepting a contribution, roll-over, or transfer to a RSA</p> <p>Item 45 – RSA provider cashing whole or part of an interest held by a RSA holder</p>
Cash carrying and payroll services	<p>Item 51 – collecting or holding physical currency</p> <p>Item 52 – preparing a payroll</p> <p>Item 53 – delivering physical currency including payrolls</p>

Financial services – subcategories

Financing products

Service or product category	Table 1 designated services
Making loans	Item 6 – making a loan
Forfeiting bills of exchange or promissory notes	Item 9 – forfeiting a bill of exchange or promissory note
Guaranteeing loans	Item 49 – as a guarantor for a loan making a payment
Finance leasing	Item 10 – supplying goods under a finance lease
Factoring receivables	Item 8 – factoring a receivable
Hire-purchase	Item 13 – allowing person to conduct a transaction in relation to a hire purchase agreement

Foreign exchange services

Service or product category	Table 1 designated services
Issuing travellers cheques	Item 25 – issuing travellers cheques
Currency exchange	Item 50 – exchanging one currency for another

Financial instruments

Service or product category	Table 1 designated services
Issuing bills of exchange, promissory notes or letters of credit	Item 17 – Issuing bills of exchange, promissory notes or letters of credit
Dealing in bills of exchange, promissory notes or letters of credit	Item 34 – Dealing in bills of exchange, promissory notes or letters of credit
Dealing in securities, derivatives or foreign exchange contracts	Item 33 – acquiring or disposing of a security, derivative or foreign exchange contract

Redeeming bearer bonds	Item 36 – in capacity of issuer redeeming a bearer bond
Issuing or selling securities or derivatives	Item 35 – issuing or selling securities or derivatives

Insurance services

Service or product category	Table 1 designated services
Issuing life or sinking fund policies	Item 37 – issuing a life or sinking fund policy
Retirement savings account services	Item 44 – in capacity of RSA provider accepting a contribution, roll-over or transfer
Providing pensions or annuities	Item 41 – cashing in part or whole of an interest by a RSA holder
Superannuation funds or approved deposit funds	Item 42 – accepting a contribution, rollover or transfer in respect to a superannuation fund or approved deposit fund

Custodial services and depository services

Service or product category	Table 1 designated services
Custodial or depository services	Item 46 – providing a custodial or depository service
Safe deposit box facilities	Item 47 – providing a safe deposit box

Payroll services

Service or product category	Table 1 designated services
Moving or holding physical currency	Items 51 and 53 – collecting and delivering physical currency
Preparing payrolls	Item 52 – preparing a payroll in whole or part from physical currency collected

Bullion services

Service or product category	Table 2 designated services
Buy or sell bullion	Item 1 – buying bullion Item 2 – selling bullion

Gambling services

Service or product category	Table 2 designated services
Betting services	Item 1 – receiving or accepting a bet Item 2 – placing or making a bet on behalf of a person Item 3 – introducing a person who wants to make a bet Item 4 – paying out winnings
Exchanging gaming chips or currency	Item 7 – exchanging money for gaming chips or tokens Item 8 – exchanging gaming chips or tokens for money Item 14 – exchanging one currency for another
Betting accounts	Item 11 – opening an account in the capacity of an account provider Item 12 – allowing a person to become signatory to an account Item 13 – allowing a transaction on an account
Operate gaming machines	Item 5 – allowing a person to play a game on a gaming machine located at a venue Item 10 – paying out winnings or awarding a prize in respect of a game played on a gaming machine
Games of chance or skill	Item 6 – accepting entry of a person into a game Item 9 – paying out winnings or awarding a prize

Provide the total entitlement to operate gaming machines issued to the business and any related reporting entities

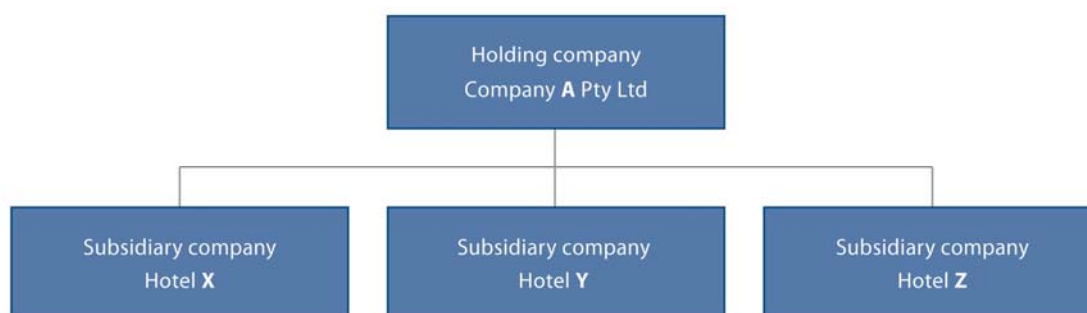
If you selected 'Operating gaming machines' as a designated service provided (or proposed to be provided) by your business, you must provide the total number of gaming machines your business and any related reporting entities are licensed to operate in all states and territories (this is your business's 'total entitlement to operate gaming machines').

A 'related reporting entity' has the same meaning as 'related bodies corporate' in section 50 of the *Corporations Act 2001* (Cth).

A related body corporate is a body corporate that is:

- a holding company of another body corporate; or
- a subsidiary of another body corporate; or
- a subsidiary of a holding company of another body corporate. For example, if Hotel X, Hotel Y and Hotel Z have the same holding company, Company A, then Hotels X, Y and Z are related reporting entities, and the number of gaming machines operated by all three hotels should be provided.

Related bodies corporate



Indicate when the business commenced or expects to commence providing these designated service(s)

You must provide the date that your business first provided a financial, bullion or gambling designated services, or expects to provide a designated service. If your business provides more than one designated service, provide the earliest commencement date.

Does the business provide or intend to provide remittance services?

A remittance service means a 'registrable designated remittance service' or 'registrable remittance network service' as defined in the AML/CTF Act.

A registrable designated remittance service includes:

- the provision of a service under items 31 or 32 of table 1 in section 6 of the AML/CTF Act by a person at or through a permanent establishment of the person in Australia; or
- the provision of a designated service under item 32A of table 1 of section 6 of the AML/CTF Act.

Your business provides a remittance service if it provides one or more of the following designated services listed in table 1 of section 6 of the AML/CTF Act:

- item 31 – carrying on a business of accepting instructions for the transfer of money or property
- item 32 – making money or property or arranging for money or property to be made available
- item 32A – operating a network or system that enables a person to transfer money or property.

Your business does not provide a remittance service if it is an authorised deposit-taking institution (ADI), bank, building society, credit union, lawyer or accountant.

Select how the business provides or intends to provide remittance services

If you provide a registrable designated remittance service, select the boxes that apply to your business status:

- As an independent provider (**independent remittance dealer**) – a business that provides remittance services to customers using its own systems and processes, independent of a remittance network.
- A network provider (**remittance network provider**) – a business that operates a network of remittance affiliates by providing the systems and services that enable the affiliates to provide remittance services.
- As an affiliate of a network (**remittance affiliate of a registered remittance network provider**) – a business that provides remittance services to customers as part of a remittance network facilitated by a remittance network provider.

Note: If your business provides remittance services as an affiliate of a network and does not provide remittance services in any other capacity (independent remittance dealer or network provider), your network provider must register your business on your behalf.

Designated AML/CTF Compliance Officer

You must provide the contact details of your business's AML/CTF Compliance Officer. Each business or designated business group is required under their standard or joint AML/CTF program to appoint an AML/CTF Compliance Officer at the management level.

The contact details for the AML/CTF Compliance Officer must include the postal address of the principal place of business of the Compliance Officer, a contact telephone number during business hours and a work email address.

Registration information

This part of the Australian business profile form only applies to businesses that provide 'registrable designated remittance services' and/or a 'registrable remittance network service.'

- This part applies to your business if it provides one or more of the following designated services listed in table 1 of section 6 of the AML/CTF Act:
- item 31 – carrying on a business of accepting instructions for the transfer of money or property
- item 32 – making money or property or arranging for money or property to be made available
- item 32A – operating a network or system that enables a person to transfer money or property.

You are not required to fill out this part if your business is an authorised deposit-taking institution (ADI), bank, building society, credit union, lawyer or accountant.

Registrable designated remittance service

Your business provides a registrable designated remittance service if you provide a designated service under item 31 or 32 of table 1 of the AML/CTF Act through or at a permanent establishment in Australia.

Your business provides a designated service under item 31 if your business accepts an instruction from an individual, business, company or other legal person to transfer money under a designated remittance arrangement.

Your business provides a designated service under item 32 if your business makes or arranges to make money or property available to an individual, business, company or other legal person under a designated remittance arrangement.

Registrable remittance network service

Your business provides a registrable remittance network service if you provide a service under item 32A of table 1 of section 6 of the AML/CTF Act. An item 32A designated service is where your business operates a platform or operating system that is used by a network of affiliates to provide an item 31 or 32 designated service.

Update registration details

Deadlines for registration

There are different deadlines for registering with AUSTRAC depending on the remittance services your business provides and whether or not your business has previously registered with the Register of Providers of Designated Services.

Independent remittance dealers and affiliates of a registered remittance network provider: If your business provided a remittance service immediately before 1 November 2011 and is registered on the Providers of Designated Remittance Services Register, the following time frames for registration apply from 1 November 2011:

- Independent remittance dealers – six months to register (registration required before 30 April 2012)
- Affiliate of a remittance network provider – your remittance network provider must register your business on your behalf within twelve months (before 31 October 2012).

Businesses that provide remittance services as both an independent remittance dealer **and** as an affiliate of a remittance network provider **must** register as an independent remittance dealer and, separately, they must also be registered by their remittance network provider as an affiliate of the provider.

Remittance network providers: If your business is a remittance network provider, you have 12 months, from 1 November 2011, in which to register (registration required before 31 October 2012).

New remittance businesses: If your business **did not** provide a remittance service immediately before 1 November 2011 and is not registered with the Register of Providers of Designated Services, your business **must** register with AUSTRAC **before** it commences providing remittance services. It is a criminal offence to provide a remittance service and not be registered on the Remittance Sector Register.

Indicate when the business commenced or expects to commence providing remittance services

You must provide the day, month and year that you commenced (or expect to commence) providing a registrable designated remittance service or registrable designated remittance network.

In addition to the two partners you provided details of in the 'Business information' section above, does the business have any more partners?

If your partnership has more than two partners, you must provide details for each additional partner. This is in addition to the two partners for whom you previously provided details in the 'Business information' section of the form. Do not provide details of the partners already identified in Business information.

- **Individual** – if a partner is a natural person, provide contact details for all partners.
- **Company** – if a partner is a company registered in Australia or overseas, provide the following details:
 - Legal name – for an Australian company this is the name registered with the Australian Securities and Investments Commission (ASIC) or, for a foreign company, the name registered with the relevant foreign regulator.
 - Address – the preferred address is the principal place of business. The company's principal place of business is the main place where the company conducts its business, makes decisions or maintains its books and records. It must be a physical address and cannot be a post office box.
 - Business registration numbers – provide details of any registration numbers that apply to the company: For example:
 - **ACN** (Australian Company Number) – the number allocated by Australian Securities and Investments Commission when an entity registers under the *Corporations Act 2001* (Cth)
 - **ABN** (Australian Business Number) – the 11-digit number allocated by the Australian Taxation Office when a business registers with the Australian Business Register
 - **ARBN** (Australian Registered Body Number) – the nine-digit number allocated by Australian Securities and Investments Commission when an entity that is not a corporation (for example, a foreign company) is registered
 - **AFSL** (Australian Financial Services Licence) – the six-digit number issued by the Australian Securities and Investment Commission when an AFSL is granted
 - **ACLN** (Australian Credit Licence Number) – the number provided by the Australian Securities and Investments Commission when an entity is registered as a credit provider

- **Numbers associated with a foreign company:** For a foreign company the foreign equivalent of the ACN, ABN, ARBN, AFSL or Australian credit licence number, and the country in which the business number was issued.

Is the business a subsidiary of, or controlled by any other entity?

Your business is a subsidiary of another company if more than 50 per cent of its voting stock or issued share capital is controlled or held by that other company.

An entity controls your business if it has the capacity to determine the outcome of decisions about your business's financial and operating policies.

You must provide the details of all entities that you are a subsidiary of, or are controlled by, including each director of those entities.

- Legal name – for an Australian company, this is the name registered with Australian Securities and Investments Commission or, for a foreign company, the name registered with the relevant foreign regulator.
- Business registration numbers – provide details of any registration numbers that apply to the company: For example:
 - **ACN** (Australian Company Number) – the number allocated by Australian Securities and Investments Commission when an entity registers under the *Corporations Act 2001* (Cth)
 - **ABN** (Australian Business Number) – the 11-digit number allocated by the Australian Taxation Office when a business registers with the Australian Business Register
 - **ARBN** (Australian Registered Body Number) – the nine-digit number allocated by Australian Securities and Investments Commission when an entity that is not a corporation (for example, a foreign company) is registered
 - **AFSL** (Australian Financial Services Licence) – the six-digit number issued by the Australian Securities and Investment Commission when an AFSL is granted
 - **ACLN** (Australian Credit Licence Number) – the number provided by the Australian Securities and Investments Commission when an entity is registered as a credit provider

- **Numbers associated with a foreign company** – for a foreign company the foreign equivalent of the ACN, ABN, ARBN, AFSL or Australian credit licence number, and the country in which the business number was issued.
- **Address** – the preferred address is the principal place of business. The company’s principal place of business is the main place where the company conducts its business, makes decisions or maintains its books and records. It must be a physical address and cannot be a post office box.

Director’s details

You must provide the details of each director of the company of which your business is a subsidiary or which controls your business.

- **Given name** – this is the name that appears on all official documents. You must include all given names (for example, John Michael).
- **Family name** – this is the family name or surname that appears on all official documentation.
- **Address** – provide the principal place of business from which the director works.
- **Position/title** – the official position title of the individual as it appears on company documents.
- **Email address** – provide details of the director’s work email address. If the director does not have a work email address, provide their personal email address.

Is the business registered or licensed to provide remittance services in a foreign country?

If your business provides a service for the transfer of money or value, including through an informal network or system, in a foreign country, then your business provides a remittance service in that country.

Many countries require remittance service providers to register or hold a licence under a national registration or licensing scheme, such as the Remittance Licence issued by the Government of Singapore.

Provide details of that registration or licence

You are required to provide the following details of the registration or licence:

- Registration/licence description – type of licence or registration and name of registration or licence scheme or the relevant law. For example, a Remittance Licence issued under Singapore’s *Money-changing and Remittance Businesses Act* (Cap 187).
- Licence or registration number – this is the number that identifies your business under the relevant registration or licence scheme.
- Country of issue – this is the country that issued the licence or registration (for example, Singapore).

Civil, criminal and enforcement proceedings

For the purpose of answering the questions regarding civil, criminal or enforcement proceedings, ‘your business’ means:

- Sole trader – you
- **Company** – the company
- **Trust** – the trustee or trustees, which can be an individual or company
- **Partnership** – the partners
- **Unincorporated association** – members and office bearers of the association
- **Corporation sole** – the corporation sole
- **Body politic** – the body politic
- Other
 - **Co-operative** – the co-operative
 - **Incorporated association** – the incorporated association
 - Superannuation fund – the trustee
 - **Joint ventures** – unincorporated joint ventures, each party to the joint venture
 - **Syndicates** – each individual member.

Key personnel

Your business must disclose whether it or any key personnel have been charged, prosecuted or convicted of a criminal offence in Australia or a foreign jurisdiction **that would reflect adversely on the person's competence, diligence, judgement, honesty or integrity**. To ensure full disclosure, your business may consider using the following types of information:

- a **national** police certificate issued by the Australian Federal Police or a state or territory police service; and
- a police certificate issued by a foreign police service if the person is resident or has been resident in a foreign country; or
- penal clearance certificates as provided to the Australian Department of Immigration and Citizenship in a visa application;
- any other relevant documents, including charge sheets, summons notice or court records.

If a person is currently resident in Australia but has been resident in another country in the previous 10 years, your business may consider not only obtaining a national police certificate from an Australian police service, but also copies of penal clearance certificates provided to the Department of Immigration and Citizenship or a national police certificate from a police force in each country in which the person has resided.

AML/CTF Rules – your business is required to obtain and keep an original or certificate copy of a national police certificate that has been issued within the six-month period preceding the application for registration for each key personnel.

If the person is resident in Australia, a national police certificate issued by the Australian Federal Police or a state police service is required. You must ensure that the criminal history check is a national check and not a state or territory criminal history check.

If the person is resident in a foreign country, a national police certificate issued by a police force of that country is required.

Have you (being the business) been charged, prosecuted and/or convicted in relation to money laundering, financing of terrorism, terrorism, people smuggling, fraud, a serious offence (either in Australia or a foreign jurisdiction), an offence under the AML/CTF Act or an offence under the FTR Act?

The following information may assist you in determining whether your business has been charged, prosecuted and/or convicted in relation to a relevant offence:

Criminal proceedings

- Charged – formally accused of criminal conduct, usually in the form of a charge sheet
- Prosecuted – tried for a criminal offence (includes committal hearings)
- Convicted – found guilty of a criminal offence.

Offences

- **Money laundering** – any offence where a person deals with money or property that is the proceeds of crime or could become an instrument of crime in relation to all indictable offences under the law of the Commonwealth, a state, a territory or a foreign country.
- **Financing of terrorism** – any offence where a person provides or makes available to or collects funds for or on behalf of a terrorist organisation or terrorist.
- **Terrorism** – any offence where a person commits a terrorist act, provides or receives training connected with terrorist acts, possesses things connected with terrorist acts, collects or makes documents that may facilitate terrorist acts or any other act that is done in preparation or planning for terrorist acts.
- **People smuggling** – any offence where a person organises or facilitates the unlawful entry of a person to another country.
- **Fraud** – any offence where a person dishonestly obtains a benefit by deception or other means.
- **Serious offence** – any offence against a law of the Commonwealth, state or territory punishable on indictment by imprisonment for life or two or more years, or an offence against a law of a foreign country that constitutes conduct that would be a serious offence if it had occurred in Australia.
- **AML/CTF Act offence** – an AML/CTF Act offence is a contravention of a provision of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) that carries a criminal penalty.

- **FTR Act offence** – an FTR Act offence is a contravention of a provision of the *Financial Transaction Reports Act 1988* (FTR Act) that carries a criminal penalty.

Have you (being the business) been subject to a civil penalty order made under the AML/CTF Act?

A civil penalty order is an order made by the Federal Court of Australia under section 175 of the AML/CTF Act (that is, an order for payment of a pecuniary penalty relating to the contravention of a civil penalty provision).

Have you (being the business) been the subject of civil or criminal proceedings or enforcement action, in relation to the management of an entity, or commercial or professional activities, which were determined adversely (including by you consenting to an order or direction, or giving an undertaking, not to engage in unlawful or improper conduct) and which reflected adversely on the person's competence, diligence, judgement, honesty or integrity?

Your business is required to disclose whether it has been the subject of civil, criminal or enforcement proceedings **if** those proceedings reflected adversely on the person's **competence, diligence, judgement, honesty or integrity**.

Your business may have been subject of civil or criminal proceedings or enforcement action, if it has:

- been sued or is being sued
- had enforcement action taken against it by a regulator such as the Australian Prudential Regulation Authority, Australian Competition and Consumer Commission, Australian Communications and Media Authority or Australian Securities and Investments Commission
- had a licence or registration suspended, revoked or cancelled
- had action taken against it for professional misconduct by a registration, licensing or professional body
- been charged or prosecuted for a corporations-related offence;
- been disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001*.

Provide details

If your business has been the subject of civil, criminal or enforcement proceedings, that would reflect **adversely** on the person's competence, diligence, judgement, honesty or integrity, you must provide details of the proceedings:

Criminal offences

- If your business has been **charged with an offence**, you must provide the following details:
 - date of charge
 - charge details
 - whether the charge relates to an offence under Commonwealth, state or territory law
 - the name or number of the Act or Regulation to which the charge relates
 - the section and clause of the relevant Act or Regulation;
 - whether it is a summary or indictable offence
 - details of the charging officer or informant
 - court details, including the date and time of hearing.

These details can be found on your charge sheet. An example charge and summons sheet for Victoria is provided at Appendix D.

- If your business has been **prosecuted and/or convicted**, you must provide the following details:
 - date of committal hearing or conviction
 - court and presiding magistrate or judge
 - details of the offence, including whether the offence was against Commonwealth, state or territory law or the law of a foreign country
 - outcome of committal hearing or conviction
 - any relevant details relating to ongoing prosecutions.

Civil penalties

- If your business has been subject to a civil penalty order under the AML/CTF Act, you must provide the following details:
 - the date of the civil penalty order

- sections of the AML/CTF Act contravened.

Civil, criminal and enforcement action

- If your business has been subject to civil or criminal proceedings or enforcement action, **that would reflect adversely on the person's competence, diligence, judgement, honesty or integrity**, you must provide the following details, if applicable:
 - the date of the civil or criminal proceeding or enforcement action
 - the reason for civil or criminal proceeding or enforcement action
 - the outcome of the proceeding or action
 - the relevant jurisdiction, whether a Commonwealth, state or territory, or foreign jurisdiction.

Key personnel

How many key personnel does the business have?

Provide the number of 'key personnel' in your business.

Company, corporation sole or body politic

- For a company, corporation sole or body politic, key personnel are natural persons who are:
 - a beneficial owner
 - a director or secretary of a body corporate
 - a person who makes or participates in making decisions that affect the whole or part of the business of a body corporate
 - a person who has the capacity to significantly affect the corporation's financial standing
 - a person in accordance with whose wishes or instructions the directors of the corporation are accustomed to acting
 - a receiver, administrator or liquidator of a body corporate
 - any employee or agent of the body corporate with duties of such responsibility that his or her conduct may be fairly presumed to represent the body corporate's policy; for example, a person that has decision-making powers in respect to obligations under the AML/CTF Act.

Sole trader, trust or partnership

- For a sole trader, trust or partnership, key personnel are natural persons who are:
 - an employee or agent with duties of such responsibility that his or her conduct may fairly be assumed to represent the policy of the business: for example, a person with decision-making powers in respect to obligations under the AML/CTF Act.

Details of key personnel

- You must provide the following details in relation to each of your business's key personnel:
 - Given name – this is the name that appears on all official documents. You must include all given names (for example, John Michael)
 - Family name – this is the family name or surname that appears on all official documentation
 - Date of birth – provide the day, month and year of birth (for example, 28/07/1967)
 - Telephone number – provide a contact telephone number for the person during business hours. The telephone number may be a mobile number or landline
 - Email address – provide details of the person's work email address. If the person does not have a work email address, provide their personal email address
 - Address – provide the address of the principal place of business from which the person works
 - Civil, criminal and enforcement action – the information below will assist you in answering these questions, and the types of details that your business must provide.

Has this person been charged, prosecuted and/or convicted in relation to money laundering, financing of terrorism, terrorism, people smuggling, fraud, a serious offence (either in Australia or a foreign jurisdiction), an offence under the AML/CTF Act or an offence under the FTR Act?

The following information may assist you in determining whether this person has been charged, prosecuted and/or convicted in relation to a relevant offence:

Criminal proceedings

- Charged – formally accused of criminal conduct, usually in the form of a charge sheet
- Prosecuted – tried for a criminal offence (includes committal hearings)
- Convicted – found guilty of a criminal offence.

Offences

- **Money laundering** – any offence where a person deals with money or property that is the proceeds of crime or could become an instrument of crime in relation to all indictable offences under the law of the Commonwealth, a state, a territory or a foreign country.
- **Financing of terrorism** – any offence where a person provides or makes available to or collects funds for or on behalf of a terrorist organisation or terrorist.
- **Terrorism** – any offence where a person commits a terrorist act, provides or receives training connected with terrorist acts, possesses things connected with terrorist acts, collects or makes documents that may facilitate terrorist acts or any other act that is done in preparation or planning for terrorist acts.
- **People smuggling** – any offence where a person organises or facilitates the unlawful entry of a person to another country.
- **Fraud** – any offence where a person dishonestly obtains a benefit by deception or other means.
- **Serious offence** – any offence against a law of the Commonwealth, state or territory punishable on indictment by imprisonment for life or two or more years, or an offence against a law of a foreign country that constitutes conduct that would be a serious offence if it had occurred in Australia.
- **AML/CTF Act offence** – an AML/CTF Act offence is a contravention of a provision of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) that carries a criminal penalty.

- **FTR Act offence** – an FTR Act offence is a contravention of a provision of the *Financial Transaction Reports Act 1988* (FTR Act) that carries a criminal penalty.

Has this person been subject to a civil penalty order made under the AML/CTF Act?

A civil penalty order is an order made by the Federal Court of Australia under section 175 of the AML/CTF Act (that is, an order for payment of a pecuniary penalty relating to the contravention of a civil penalty provision).

Has this person been the subject of civil or criminal proceedings or enforcement action, in relation to the management of an entity, or commercial or professional activities, which were determined adversely (including by you consenting to an order or direction, or giving an undertaking, not to engage in unlawful or improper conduct) and which reflected adversely on the person's competence, diligence, judgement, honesty or integrity?

Your business is required to disclose whether a person has been the subject of civil, criminal or enforcement proceedings **if** those proceedings reflected adversely on the person's **competence, diligence, judgement, honesty or integrity**.

This person may have been subject to civil or criminal proceedings or enforcement action if the person has:

- been sued or is being sued
- had enforcement action taken against them by a regulator, such as the Australian Prudential Regulation Authority, Australian Communications and Media Authority or Australian Securities and Investments Commission
- had a licence or registration suspended, revoked or cancelled
- had action taken against them for professional misconduct by a registration, licensing or professional body
- been charged or prosecuted for a corporations-related offence
- been disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001*.

Provide details

If key personnel have been subject to civil, criminal or enforcement action that reflected adversely on the person's competence, diligence, judgement, honesty or integrity, you must provide details of the action.

Criminal offence

- If the person has been **charged with an offence**, you must provide the following details:
 - date of charge
 - charge details
 - whether the charge relates to an offence under Commonwealth, state or territory law
 - the name or number of the Act or Regulation to which the charge relates
 - the section and clause of the relevant Act or Regulation
 - whether it is a summary or indictable offence
 - details of the charging officer or informant
 - court details, including the date and time of hearing

These details can be found on the person's charge sheet. An example charge and summons sheet for Victoria is provided at Appendix D.

- If the person has been prosecuted and/or convicted you should provide the following details:
 - date of committal hearing or conviction
 - court and presiding magistrate or judge
 - details of the offence, including whether the offence was against Commonwealth, state or territory law or the law of a foreign country
 - outcome of committal hearing or conviction
 - any relevant details relating to ongoing prosecutions.

Civil penalties

- If the person has been **subject to a civil penalty order** under the AML/CTF Act, you should provide the following details:
 - the date of the civil penalty order
 - sections of the AML/CTF Act contravened.

Civil, criminal or enforcement action

- If the person has been subject to civil or criminal proceedings or enforcement action, that would reflect **adversely** on the person's competence, diligence, judgement, honesty or integrity you must provide the following details, if applicable:
 - the date of the civil or criminal proceeding or enforcement action
 - the reason for civil or criminal proceeding or enforcement action
 - the outcome of the proceeding or action
 - the relevant jurisdiction, whether a Commonwealth, state or territory, or foreign jurisdiction.

Is the person a beneficial owner?

This question only applies to key personnel of a company. A beneficial owner of a company is any individual who owns through one or more shareholdings more than 25 per cent of the issued share capital.

Provide the details of each registered network provider that the business is affiliated with

If your business provides remittance services as an agent or affiliate of a remittance network provider, you must provide the name of the network provider and their network provider registration number (RNP).

The network provider registration number is the unique number issued by AUSTRAC on registration. You should contact your network provider for details.

AUSTRAC supervisory levy information

You must complete this section if your business provides designated services. If your business does not provide designated services, go to the 'Other details' section of your business profile form.

Your business will be a leviable entity for the purposes of the *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Act 2011*, if it provided a designated service in the previous financial year, and is or is required to be entered on the Reporting Entities Roll on census day.

Is the business exempt from the requirement to have and maintain an AML/CTF Act program?

Your business is exempt from this requirement if the AUSTRAC CEO has made a written instrument under section 248 of the AML/CTF Act or made AML/CTF Rules exempting your business from Part 7 of the AML/CTF Act.

The exemption must be in effect on the Census Date and apply to all the designated services that you offer.

A list of current exemptions under section 248 of the AML/CTF Act is available: www.austrac.gov.au/exemptions_granted.html

A copy of the AML/CTF Rules is available at: www.austrac.gov.au/aml_ctf_rules.html

Does the business employ less than five people?

Your business employees less than five people if you:

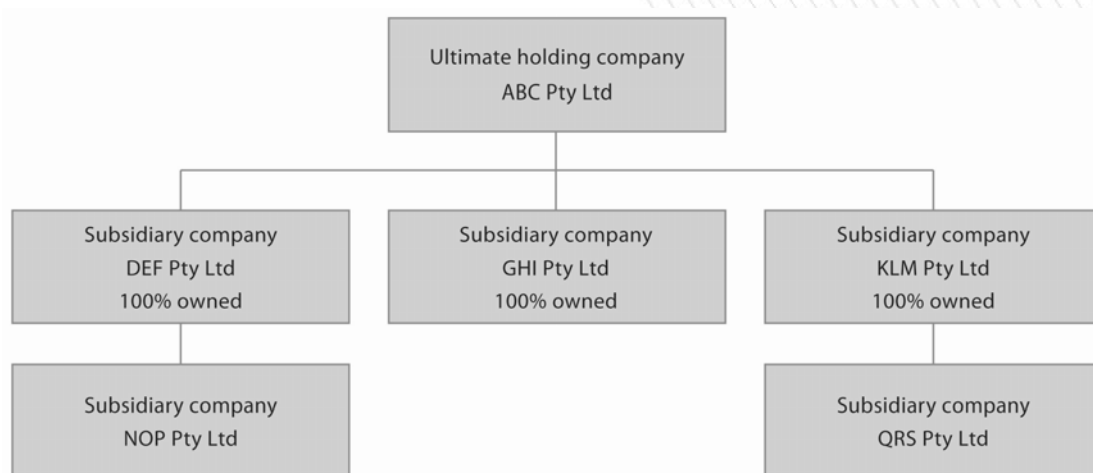
- are a sole proprietor or partnership without employees; or
- employ four people or less, regardless of whether the employees are full-time, part-time or casual.

An employee is a person that works under a contract of employment with your business or a person that your business pays wages or a salary.

Is the business a related body corporate of any other reporting entity?

Your business is a related body corporate of another reporting entity if it is the holding or parent company of another reporting entity, a subsidiary of another reporting entity or a subsidiary of a holding company of another reporting entity. The other reporting entity must be a body corporate within the meaning of section 9 of the *Corporations Act 2001*(Cth).

If your business is a related body corporate of another reporting entity you must provide details of the ultimate holding company. The ultimate holding company is a holding company that has subsidiaries but is not itself a subsidiary of any other company. An example of a corporate group is provided below.



Provide details of the ultimate holding company of the group

Your business must provide the following details relating to its ultimate holding company:

- **Legal name** – the name registered with Australian Securities and Investment Commission or relevant regulator in a foreign jurisdiction
- **ACN** (Australian Company Number) – the number allocated by the Australian Securities Investment Commission when an entity registers under the *Corporations Act 2001* (Cth)
- **ABN** (Australian Business Number) – the 11-digit number allocated by the ATO when a business registers with the Australian Business Register.
- **ARBN** (Australian Registered Body Number) – nine-digit number allocated by Australian Securities and Investment Commission when an entity that is not a corporation (for example, a foreign company) is registered
- **AFSL** (Australian Financial Services Licence) – the six-digit number issued by Australian Securities and Investment Commission when an AFSL is granted
- **ACLN** (Australian Credit Licence Number) – the number provided by the Australian Securities and Investments Commission when an entity is registered as a credit provider
- **Other number associated with the business:** You must also provide details of any other registration numbers associated with the ultimate holding company, including any number issued by a regulator in a foreign jurisdiction.
- **Address** – provide the registered address or principal place of business of the ultimate holding company. This must be a physical address and not a post office box.

In the most recent annual financial statement, were the earnings of the business and any related leviable entities \$100 million or more?

It is important in calculating the earnings of your business and any related leviable entities that you include only those entities that provide designated services.

The earnings measure you are required to use depends on the nature of your business and any related leviable entities.

Measure 1 – Profit before tax, depreciation and amortisation (PBTDA)

Businesses that are authorised deposit-taking institutions or registered financial corporations or related to a leviable entity that is an authorised deposit-taking institution or registered financial corporations are required to use the PBTDA measure.

Measure 2 – Earnings before net financing expense, tax, depreciation and amortisation (EBITDA)

Businesses that are not authorised deposit-taking institutions or registered financial corporations nor related to a leviable entity that is an authorised deposit-taking institution or registered financial corporations are required to use the EBITDA measure.

If your business is incorporated outside of Australia, only include the PBTDA or EBITA that relates to your business's operations in Australia.

The following steps provide an overview on how to calculate the total earnings for your business and any related reporting entities.

Refer to the 'Fact Sheet – Calculating Earnings' available on the AUSTRAC website for more detail on how to calculate your earnings.

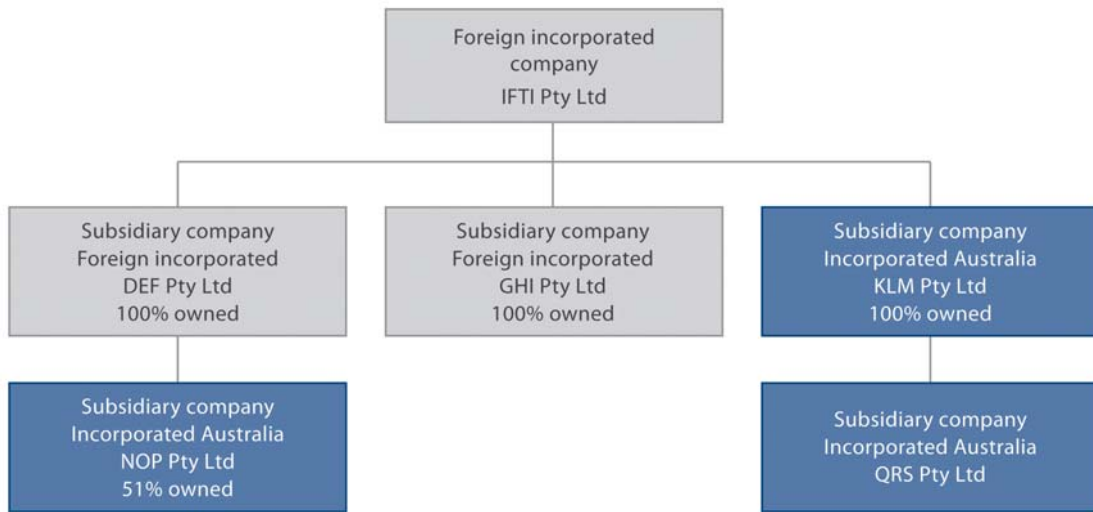
Is the business incorporated in a foreign country or a subsidiary of a foreign company?

This section only applies if your business was incorporated under the law of a foreign country or is a subsidiary of a foreign company.

A subsidiary is a company that is controlled by the foreign company through the composition of the board of directors, by having more than half the voting power or by owning more than half the issued capital of the company.

For example, in the below diagram, because KLM Pty Ltd is a subsidiary of a foreign incorporated company, it is required to provide the total global earnings of the corporate group, which includes IFTI Pty Ltd, DEF Pty Ltd, GHI Pty Ltd, KLM Pty Ltd, QRS Pty Ltd and NOP Pty Ltd.

Corporate group – total global earnings



In the most recent annual financial statements, were the total global earnings of the business and any related companies \$100 million or more?

If your business is a foreign corporation or a subsidiary of a foreign corporation, you must determine whether the total global earnings of the company and any related companies were AUD \$100 million or more, as reported in the most recent annual financial statements. A company is related to the business if it is a subsidiary of the business, parent or holding company of the business, or a subsidiary of the holding or parent company of the business.

The earnings of all related companies (including companies that are not reporting entities or leviabale entities), must be included.

Refer to the 'Fact Sheet – Calculating Earnings' available on the AUSTRAC website for more detail on how to calculate your total global earnings.

Provide details of the business contact person for matters relating to the AUSTRAC supervisory levy

This person may be the AML/CTF Compliance Officer or another person. If the person is not the compliance officer, you must provide the following details:

- Family name – this is the person’s surname as it appears on all legal documents (for example, a birth certificate)
- Given name – provide details of the person’s given names, including first name and any middle name or initial
- Date of birth – provide the person’s day, month and year of birth (optional)
- Postal address – the person’s principal place of business or registered place of business, including state or territory and country
- Telephone – the contact telephone number for the person during business hours. This may be a mobile phone number
- Email address – the person’s work email address.

What is the billing address of the business (for the AUSTRAC supervisory levy)?

If the billing address is different to the business’s postal address, provide the relevant address details. The billing address is where AUSTRAC will send correspondence concerning the payment of the AUSTRAC supervisory levy.

Other details

Does the business have any ongoing obligations under the Financial Transactions Reports Act 1988?

Your business has ongoing obligations under the *Financial Transactions Reports Act 1988* if it is a cash dealer that provides services and products that are not designated services for the purposes of the AML/CTF Act.

If you are a solicitor you may have ongoing obligations under section 16A of the *Financial Transaction Reports Act 1988*.

Does the business intend to join a designated business group?

This question only applies to a foreign company that does not operate through a permanent establishment in Australia, or is not a subsidiary of a resident of Australia, which intends to enter into a designated business group with other members of its corporate group. Other members of the corporate group must be subject to the operation of the AML/CTF Act.

If your business is a foreign corporation and you intend to join a designated business group, you must provide the following details for the primary contact officer.

- Given name – this is the name that appears on all official documents. You must include all given names (for example, John Michael)
- Family name – this is the family name or surname that appears on all official documentation
- Date of birth – provide the day, month and year of birth (for example, 28/07/1967) (optional)
- Position/title – the official title of the position held by the person in the company
- Address – provide the address of the principal place of business from which the person works
- Telephone/fax number – provide a contact telephone (and fax number, if applicable) for the person during business hours. The telephone number may be a mobile number or landline
- Email address – provide the person's work email address. If the person does not have a work email address, provide their personal email address.

AUSTRAC Online access

This question only applies to businesses that do not have access to AUSTRAC Online. AUSTRAC Online enables your business to maintain its enrolment details and to electronically submit reports, including compliance reports.

Declaration

If, under the AML/CTF Act, your business provides designated services (but **does not** provide remittance services), you are required to complete the Declaration for Enrolment.

If, under the AML/CTF Act, your business provides remittance services, you are required to complete the Declaration for Enrolment and Registration.

Declaration for Enrolment for businesses providing designated services

The Declaration for Enrolment is applicable to businesses that provide designated services (but not remittance services).

If your business provides remittance services, you must complete the Declaration for Enrolment and Remittance.

The Declaration for Enrolment requires the person completing the form to declare the following:

- I am authorised to complete this form.
- The information I have given in this form is true, accurate and complete.
- I understand criminal or civil penalties may apply for giving false or misleading information or for failing to supply information.

If the person making the declaration is not the AML/CTF Compliance Officer, the person is required to provide the following details:

- Family name – this is the person’s surname as it appears on all legal documents (for example, a birth certificate)
- Given name – provide details the person’s given names, including first name and any middle name or initial
- Date of birth – provide the person’s day, month and year of birth (optional)
- Postal address – the person’s principal place of business or registered place of business, including state or territory and country
- Telephone – the contact telephone number for the person during business hours. This may be a mobile phone number.
- Email address – provide the person’s work email address. If the person does not have a work email address, provide their personal email address

Declaration for Enrolment and Registration for independent remitters or network service providers.

This declaration only applies to businesses that provide remittance services as an independent remitter or network provider.

The Declaration for Enrolment and Registration requires the person completing the form to declare the following:

- I am authorised to complete this form on behalf of the business.
- I have obtained and kept original or certified copies of the national police certificates required for key personnel under the AML/CTF Rules.

AML/CTF Rules – your business is required to obtain and keep an original or certificate copy of a national police certificate that has been issued within the six-month period preceding the application for registration for each key personnel.

If the person is resident in Australia, a national police certificate issued by the Australian Federal Police or a state police service is required. You must ensure that the criminal history check is a national check and not a state or territory criminal history check.

If the person is resident in a foreign country, a national police certificate issued by a police force of that country is required.

Each of the key personnel specified in this form have been subject to, and satisfied the employee due diligence program of the business.

AML/CTF Rules – your business is required to have an employee due diligence program. A reporting entity should consider the potential money laundering and terrorism financing risks associated with prospective employees and apply screening procedures if appropriate.

- The information I have given in this form is true, accurate and complete.
- I understand criminal or civil penalties may apply for giving false or misleading information or by failing to supply information.

If the person making the declaration is not the AML/CTF Compliance Officer, the person is required to provide the following details:

- Family name – this is the person's surname as it appears on all legal documents (for example, a birth certificate).
- Given name – provide the person's given names, including first name and any middle names or initials.
- Date of birth – provide the person's day, month and year of birth. (optional)
- Postal address – the person's principal place of business or registered place of business, including state or territory and country.

- Telephone – the contact telephone number for the person during business hours. This may be a mobile phone number.
- Email address – provide the person’s work email address. If the person does not have a work email address, provide their personal email address.

Declaration for Enrolment and Registration of independent remitters and affiliates of a network service provider

This declaration only applies to your business if you provide remittance services as an independent remitter and as an affiliate of a network service provider.

The Declaration for Enrolment and Registration requires the person completing the form to declare the following:

- I am authorised to complete this form on behalf of the business.
- I have obtained and kept original or certified copies of the national police certificates required for key personnel under the AML/CTF Rules.

AML/CTF Rules – your business is required to obtain and keep an original or certificate copy of a national police certificate that has been issued within the six-month period preceding the application for registration for each key personnel.

If the person is resident in Australia, a national police certificate issued by the Australian Federal Police or a state police service is required. You must ensure that the criminal history check is a national check and not a state or territory criminal history check.

If the person is resident in a foreign country, a national police certificate issued by a police force of that country is required.

- Each of the key personnel specified in this form have been subject to and satisfied the employee due diligence program of the business.

AML/CTF Rules – your business is required to have an employee due diligence program. A reporting entity should consider the potential money laundering and terrorism financing risks associated with prospective affiliates and their employees and apply screening procedures if appropriate.

- I have obtained the required consent to apply as an affiliate of my remittance network provider.
- The information I have given in this form is true, accurate and complete.
- I understand criminal or civil penalties may apply for giving false or misleading information or by failing to supply information.

If the person making the declaration is not the AML/CTF Compliance Officer, the person is required to provide the following details:

- Family name – this is the person’s surname as it appears on all legal documents (for example, a birth certificate).
- Given name – provide the person’s given names, including first name and any middle names or initials.
- Date of birth – provide the person’s day, month and year of birth.(optional)
- Postal address – the person’s principal place of business or registered place of business, including state or territory and country.
- Telephone – the contact telephone number for the person during business hours. This may be a mobile phone number.
- Email address – provide the person’s work email address. If the person does not have a work email address, provide their personal email address.

APPENDIX A

Enrolment information that must be obtained and kept under Part B of Chapter 63 of the AML/CTF Rules

Your business must obtain and keep the following information depending on its business structure.

- The annual financial statements of the person relating to the most recent financial year before the census date.

Company

- domestic company:
 - if the company is registered as a proprietary company, the name of each director of the company.
- registered foreign company:
 - country in which the company was formed, incorporated or registered;
 - whether it is registered by the relevant foreign registration body; and
 - name of each director of the company.
- unregistered foreign company:
 - country in which the company was formed, incorporated or registered;
 - whether the company is registered by the relevant foreign registration body; and if so
 - the full address of the company in its country of formation, incorporation or registration as registered; and
 - the name of each director of the company.
 - If the company is not registered by the relevant foreign registration body, the full address of the principal place of business of the company in its country of formation or incorporation.

Trust

- full name and address (not being a post box address) of each trustee of the trust

Partnership

- the full name and address (not being a post box address) of each partner

Incorporated association

- the full name of the office holders, including the chairman, secretary and treasurer or equivalent officer in each case of the association
- the full names of any members of the governing committee.

Unincorporated association

- the full name of the officeholders, including the chairman, secretary and treasurer or equivalent officer; and
- the full names of any members of the governing committee.

Registered co-operatives

- the full names of the officeholders, including the chairman, secretary or treasurer or equivalent officer in each case of the co-operative.

Body politic

- whether the government body is an Australian government entity
- whether the government body is established under legislation of a foreign country and the name of that country

Applications for enrolment made by an agent of a business

- original or certified copy of the agreement between the agent and the person for the duration of that agreement or authority.

APPENDIX B

Registration information that must be obtained and kept under Part B Schedules 1, 2 and 3 of Chapter 56 of the AML/CTF Rules

Your business must obtain and keep the following information depending on your business structure. If you are an affiliate of a network provider, your network provider must register your business on your behalf, and must obtain and keep any required information.

Independent remitters and network providers

- original or certified copy of a National Police Certificate (or foreign equivalent) that has been issued within the six-month period preceding the date of application for registration, for each of the key personnel of your business.

Affiliates of network providers

In most cases, your network provider will register your business on your behalf.

- original or certified copy of a National Police Certificate (or foreign equivalent) that has been issued within the 12-month period preceding the date of application for registration, for each of the key personnel of the affiliate;
- original or certified copy of the report of the most recent due diligence assessment carried out by the network provider of the suitability of the affiliate to be a remittance affiliate of the registered network provider;
- original or certified copy of the consent of the network provider to the registration of the affiliate as a remittance affiliate of that registered network provider.

All businesses

- full street address of each branch at which your business provides or proposes to provide registrable designated remittance services:
- main destination(s) where money or property is to be received or is likely to be received as a result of a money transfer or remittance: for example, Pakistan:
- main destination(s) from which money or property is to be transferred or is likely to be transferred as a result of a money transfer or remittance; for example, Sydney, Australia.

Partnerships

- the full name and address (not being a post box address) of each partner

Company

- **domestic company** – whether the company is registered as a proprietary company, the name of each director of the company;
- **registered foreign company** – the country in which the company was formed, incorporated or registered; whether the company is registered by the relevant foreign registration body, and the name of each director of the company.
- unregistered foreign company
 - the country in which the company was formed, incorporated or registered;
 - whether the company is registered by the relevant foreign registration body, and if so
 - the full address of the company in its country of formation, incorporation or registration as
 - the name of each director of the company;
 - if the company is not registered by the relevant foreign registration body, the full address of the principal place of business of the company in its country of formation or incorporation

Trusts

- type of the trust;
- full name and address (not being a post office box address) of each trustee
- full name of each beneficiary in respect of the trust; or details of the class of beneficiaries.

Incorporated association

- full names of the officeholders, including the chairman, secretary and treasurer or equivalent officer in each case of the association;
- the full names of any members of the governing committee .

Unincorporated association

- the full names of the officeholders, including the chairman, secretary and treasurer or equivalent officer in each case of the association;
- the full names of any members of the governing committee.

Registered co-operative

- the full names of the officeholders, including chairman, secretary and treasurer or equivalent officer in each case of the co-operative.

APPENDIX C

Designated services under section 6 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)

Designated services

- (1) For the purposes of this Act, the following tables define:
- (a) the provision of a *designated service*; and
 - (b) the person (the *customer*) to whom the designated service is provided.

Table 1—Financial services

- (2) Table 1 is as follows:

Table 1—Financial services		
Item	Provision of a designated service	Customer of the designated service
1	in the capacity of account provider, opening an account, where the account provider is: <ul style="list-style-type: none">(a) an ADI; or(b) a bank; or(c) a building society; or(d) a credit union; or(e) a person specified in the AML/CTF Rules	the holder of the account
2	in the capacity of account provider for a new or existing account, allowing a person to become a signatory to the account, where the account provider is: <ul style="list-style-type: none">(a) an ADI; or(b) a bank; or(c) a building society; or(d) a credit union; or(e) a person specified in the AML/CTF Rules	the signatory

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
3	in the capacity of account provider for an account, allowing a transaction to be conducted in relation to the account, where the account provider is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	both: (a) the holder of the account; and (b) each other signatory to the account
4	accepting money on deposit (otherwise than by way of deposit to an account), where the deposit-taker is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	the person in whose name the deposit is held
5	in the capacity of deposit-taker for a deposit, allowing a transaction to be conducted in relation to the deposit, where the deposit-taker is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	the person in whose name the deposit is held
6	making a loan, where the loan is made in the course of carrying on a loans business	the borrower
7	in the capacity of: (a) lender for a loan; or (b) assignee (whether immediate or otherwise) of the lender for a loan; allowing the borrower to conduct a transaction in relation to the loan, where the loan was made in the course of carrying on a loans business	the borrower
8	factoring a receivable, where the receivable is factored in the course of carrying on a factoring business	the person whose receivable is factored

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
9	forfaiting: (a) a bill of exchange; or (b) a promissory note; where the bill or note is forfeited in the course of carrying on a forfaiting business	the person whose bill or note is forfeited
10	supplying goods by way of lease under a finance lease, where: (a) the goods are not acquired by a consumer (within the meaning of section 4B of the <i>Competition and Consumer Act 2010</i>); and (b) the supply is in the course of carrying on a finance leasing business	the lessee
11	in the capacity of lessor under a finance lease, allowing the lessee to conduct a transaction in relation to the lease, where: (a) the goods were not acquired by a consumer (within the meaning of section 4B of the <i>Competition and Consumer Act 2010</i>); and (b) the supply was in the course of carrying on a finance leasing business	the lessee
12	supplying goods to a person by way of hire-purchase, where: (a) the goods are not acquired by a consumer (within the meaning of section 4B of the <i>Competition and Consumer Act 2010</i>); and (b) the supply is in the course of carrying on a business of supplying goods	the person

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
13	<p>in the capacity of supplier of goods to a person by way of hire-purchase, allowing the person to conduct a transaction in relation to the hire-purchase agreement concerned, where:</p> <p>(a) the goods were not acquired by a consumer (within the meaning of section 4B of the <i>Competition and Consumer Act 2010</i>); and</p> <p>(b) the supply was in the course of carrying on a business of supplying goods</p>	the person
14	in the capacity of account provider for an account, providing a chequebook, or a similar facility, that enables the holder of the account to draw a cheque on the account	the holder of the account
15	in the capacity of building society or credit union, providing a chequebook, or a similar facility, that enables the holder of an account with the building society or credit union to draw a cheque on an account held by the building society or credit union	the holder of the account with the building society or credit union
16	in the capacity of trustee or manager of a trust, providing a chequebook, or a similar facility, that enables the holder of a beneficial interest in the trust to draw a cheque on an account held by the trustee or manager of the trust	the holder of the beneficial interest in the trust
17	<p>issuing:</p> <p>(a) a bill of exchange; or</p> <p>(b) a promissory note; or</p> <p>(c) a letter of credit;</p> <p>to a person, where the bill, note or letter is issued by:</p> <p>(d) an ADI; or</p> <p>(e) a bank; or</p> <p>(f) a building society; or</p> <p>(g) a credit union; or</p> <p>(h) a person specified in the AML/CTF Rules</p>	the person

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
18	issuing a debit card that enables the holder of an account to debit the account, where the account provider is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	the holder of the account
18A	issuing a debit card that enables a signatory to an account (other than the holder of the account) to debit the account, where the account provider is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	the signatory
19	in the capacity of building society or credit union, issuing a debit card that enables the holder of an account with the building society or credit union to debit an account held by the building society or credit union, where the account provider of the last-mentioned account is: (a) an ADI; or (b) a bank; or (c) a person specified in the AML/CTF Rules	the holder of the account with building society or credit union
19A	in the capacity of building society or credit union, issuing a debit card that enables a signatory to an account with the building society or credit union (other than the holder of the account with the building society or credit union) to debit an account held by the building society or credit union, where the account provider of the last-mentioned account is: (a) an ADI; or (b) a bank; or (c) a person specified in the AML/CTF Rules	the signatory

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
20	in the capacity of trustee or manager of a trust, issuing a debit card that enables the holder of a beneficial interest in the trust to debit an account held by the trustee or manager of the trust, where the account provider is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	the holder of the beneficial interest in the trust
20A	in the capacity of trustee or manager of a trust, issuing a debit card that enables a signatory authorised by the holder of a beneficial interest in the trust to debit an account held by the trustee or manager of the trust, where the account provider is: (a) an ADI; or (b) a bank; or (c) a building society; or (d) a credit union; or (e) a person specified in the AML/CTF Rules	the signatory
21	issuing a stored value card to a person, where: (a) the whole or a part of the monetary value stored in connection with the card may be withdrawn in cash; and (b) the monetary value stored in connection with the card is not less than: (i) \$1,000; or (ii) if another amount is specified in the regulations—that other amount	the person

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
22	increasing the monetary value stored in connection with a stored value card held by a person, where: (a) the whole or a part of the monetary value stored in connection with the card may be withdrawn in cash; and (b) the increased monetary value is not less than: (i) \$1,000; or (ii) if another amount is specified in the regulations—that other amount	the person
23	issuing a stored value card to a person, where: (a) no part of the monetary value stored in connection with the card may be withdrawn in cash; and (b) the monetary value stored in connection with the card is not less than: (i) \$5,000; or (ii) if another amount is specified in the regulations—that other amount	the person
24	increasing the monetary value stored in connection with a stored value card held by a person, where: (a) no part of the monetary value stored in connection with the card may be withdrawn in cash; and (b) the increased monetary value is not less than: (i) \$5,000; or (ii) if another amount is specified in the regulations—that other amount	the person
25	issuing a traveller's cheque to a person	the person
26	in the capacity of issuer of a traveller's cheque, cashing or redeeming a traveller's cheque held by a person	the person

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
27	issuing a money order, postal order or similar order to a person, where the face value of the order is not less than: (a) \$1,000; or (b) if another amount is specified in the regulations—that other amount	the person
28	in the capacity of issuer of a money order, postal order or similar order, cashing or redeeming a money order, postal order or similar order held by a person, where the face value of the order is not less than: (a) \$1,000; or (b) if another amount is specified in the regulations—that other amount	the person
29	in the capacity of ordering institution, accepting an electronic funds transfer instruction from the payer	the payer
30	in the capacity of beneficiary institution, making money available to the payee as a result of an electronic funds transfer instruction	the payee
31	in the capacity of a non-financier carrying on a business of giving effect to remittance arrangements, accepting an instruction from a transferor entity for the transfer of money or property under a designated remittance arrangement	the transferor entity
32	in the capacity of a non-financier carrying on a business of giving effect to remittance arrangements, making money or property available, or arranging for it to be made available, to an ultimate transferee entity as a result of a transfer under a designated remittance arrangement	the ultimate transferee entity
32A	operating a network of persons by providing a platform or operating system (however described), where: (a) the persons in the network provide a designated service referred to in item 31 or 32 by means of the platform or operating system; and (b) the operator is a non-financier.	the person who provides designated services as part of the network

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
33	<p>in the capacity of agent of a person, acquiring or disposing of:</p> <ul style="list-style-type: none">(a) a security; or(b) a derivative; or(c) a foreign exchange contract; <p>on behalf of the person, where:</p> <ul style="list-style-type: none">(d) the acquisition or disposal is in the course of carrying on a business of acquiring or disposing of securities, derivatives or foreign exchange contracts in the capacity of agent; and(e) the service is not specified in the AML/CTF Rules	the person
34	<p>in the capacity of agent of a person, acquiring or disposing of:</p> <ul style="list-style-type: none">(a) a bill of exchange; or(b) a promissory note; or(c) a letter of credit; <p>on behalf of the person, where:</p> <ul style="list-style-type: none">(d) the acquisition or disposal is in the course of carrying on a business of acquiring or disposing of bills of exchange, promissory notes or letters of credit in the capacity of agent; and(e) the service is not specified in the AML/CTF Rules	the person

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
35	issuing or selling a security or derivative to a person, where: (a) the issue or sale is in the course of carrying on a business of issuing or selling securities or derivatives; and (b) in the case of an issue of a security or derivative—the issue does not consist of the issue by a company of either of the following: (i) a security of the company (other than an interest in a managed investment scheme); or (ii) an option to acquire a security of the company (other than an option to acquire an interest in a managed investment scheme); and (ba) in the case of an issue of a security or derivative—the issue does not consist of the issue by a government body of a security of the government body or of an option to acquire a security of the government body; and (c) in the case of an issue of a security or derivative—the issue is not an exempt financial market operator issue; and (d) such other conditions (if any) as are set out in the AML/CTF Rules are satisfied	the person
36	in the capacity of issuer of a bearer bond, redeeming a bearer bond	the person to whom the proceeds of the redemption are paid
37	issuing, or undertaking liability as the insurer under, a life policy or sinking fund policy	the holder of the policy
38	in the capacity of insurer for a life policy or sinking fund policy, accepting a premium in relation to the policy	the holder of the policy
39	in the capacity of insurer for a life policy or sinking fund policy, making a payment to a person under the policy	the person

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
40	in the capacity of provider of a pension or annuity, accepting payment of the purchase price for a new pension or annuity, where: (a) the provider is not a self managed superannuation fund; or (b) the pension or annuity is provided in the course of carrying on a business of providing pensions or annuities	the person to whom the pension or annuity is to be paid
41	in the capacity of provider of a pension or annuity, making a payment to a person by way of: (a) a payment of the pension or annuity; or (b) an amount resulting from the commutation, in whole or in part, of the pension or annuity; or (c) the residual capital value of the pension or annuity; where the provider is not a self managed superannuation fund	the person
42	in the capacity of trustee of: (a) a superannuation fund (other than a self managed superannuation fund); or (b) an approved deposit fund; accepting a contribution, roll-over or transfer in respect of a new or existing member of the fund	the member
43	in the capacity of trustee of: (a) a superannuation fund (other than a self managed superannuation fund); or (b) an approved deposit fund; cashing the whole or a part of an interest held by a member of the fund	the member, or if the member has died, the person, or each of the persons, who receives the cashed whole or a cashed part of the relevant interest
43A	in the capacity of FHSA provider, accepting a contribution, roll-over or transfer to an FHSA in respect of a new or existing FHSA holder	the FHSA holder
43B	in the capacity of FHSA provider, cashing the whole or a part of an interest held by an FHSA holder	the FHSA holder, or if the FHSA holder has died, the person, or each of the persons, who receives the cashed whole or a cashed part of the relevant interest

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
44	in the capacity of RSA provider, accepting a contribution, roll-over or transfer to an RSA in respect of a new or existing RSA holder	the RSA holder
45	in the capacity of RSA provider, cashing the whole or a part of an interest held by an RSA holder	the RSA holder, or if the RSA holder has died, the person, or each of the persons, who receives the cashed whole or a cashed part of the relevant interest
46	providing a custodial or depository service, where: (a) the service is provided in the course of carrying on a business of providing custodial or depository services; and (b) the service is not an exempt legal practitioner service	the client of the service
47	providing a safe deposit box, or similar facility, where: (a) the service is provided in the course of carrying on a business of providing safe deposit boxes or similar facilities; and (b) the service is not an exempt legal practitioner service	the person who is, or each of the persons who are, authorised to lodge items in the safe deposit box or similar facility
48	guaranteeing a loan, where the guarantee is given in the course of carrying on a business of guaranteeing loans	both: (a) the lender; and (b) the borrower
49	in the capacity of guarantor of a loan, making a payment to the lender, where the guarantee was given in the course of carrying on a business of guaranteeing loans	both: (a) the lender; and (b) the borrower
50	exchanging one currency (whether Australian or not) for another (whether Australian or not), where the exchange is provided in the course of carrying on a currency exchange business	the person whose currency is exchanged

Table 1—Financial services

Item	Provision of a designated service	Customer of the designated service
51	collecting physical currency, or holding physical currency collected, from or on behalf of a person, where: (a) the service is provided in the course of carrying on a business of collecting or holding physical currency; and (b) the physical currency was not collected by the provider of the service as consideration for the supply of goods (within the meaning of the <i>Competition and Consumer Act 2010</i>); and (c) the physical currency was not collected by the provider of the service as consideration for the supply of services (within the meaning of the <i>Competition and Consumer Act 2010</i>) other than the service of collecting or holding physical currency; and (d) the physical currency was not collected as a donation to a charity or charitable institution	the person
52	preparing a pay-roll, on behalf of a person, in whole or in part from physical currency collected, where the service is provided in the course of carrying on a business of preparing pay-rolls	the person
53	delivering physical currency (including pay-rolls) to a person, where the service is provided in the course of carrying on a business of delivering physical currency	the person
54	in the capacity of holder of an Australian financial services licence, making arrangements for a person to receive a designated service (other than a service covered by this item)	the person

Note: For specification by class, see subsection 13(3) of the *Legislative Instruments Act 2003*.

Table 2—Bullion

(3) Table 2 is as follows:

Table 2—Bullion

Item	Provision of a designated service	Customer of the designated service
1	buying bullion, where the buying is in the course of carrying on a business	the person from whom the bullion is bought
2	selling bullion, where the selling is in the course of carrying on a business	the person to whom the bullion is sold

Table 3—Gambling services

(4) Table 3 is as follows:

Table 3—Gambling services

Item	Provision of a designated service	Customer of the designated service
1	receiving or accepting a bet placed or made by a person, where the service is provided in the course of carrying on a business	the person
2	placing or making a bet on behalf of a person, where the service is provided in the course of carrying on a business	the person
3	introducing a person who wishes to make or place a bet to another person who is willing to receive or accept the bet, where the service is provided in the course of carrying on a business	both: (a) the person who wishes to make or place the bet; and (b) the person who is willing to receive or accept the bet
4	paying out winnings in respect of a bet, where the service is provided in the course of carrying on a business	the person to whom the winnings are paid
5	in the capacity of controller of an eligible gaming machine venue, allowing a person to play a game on a gaming machine located at the venue, where the service is provided in the course of carrying on a business	the person
6	accepting the entry of a person into a game, where: (a) the game is played for money or anything else of value; and (b) the game is a game of chance or of mixed chance and skill; and (c) the service is provided in the course of carrying on a business; and (d) the game is not played on a gaming machine located at an eligible gaming machine venue	the person

Table 3—Gambling services

Item	Provision of a designated service	Customer of the designated service
7	exchanging money for gaming chips or tokens, where the service is provided in the course of carrying on a business	the person whose money is exchanged
8	exchanging gaming chips or tokens for money, where the service is provided in the course of carrying on a business	the person whose gaming chips or tokens are exchanged
9	paying out winnings, or awarding a prize, in respect of a game, where: (a) the game is played for money or anything else of value; and (b) the game is a game of chance or of mixed chance and skill; and (c) the service is provided in the course of carrying on a business; and (d) the game is not played on a gaming machine located at an eligible gaming machine venue	the person to whom the winnings are paid or the prize is awarded
10	in the capacity of controller of an eligible gaming machine venue, paying out winnings, or awarding a prize, in respect of a game, where: (a) the game is played on a gaming machine located at the venue; and (b) the winnings are paid out, or the prize is awarded, by the controller as agent of the owner or lessee of the gaming machine; and (c) the service is provided in the course of carrying on a business	the person to whom the winnings are paid or the prize is awarded
11	in the capacity of account provider, opening an account, where: (a) the account provider is a person who provides a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and (b) the purpose, or one of the purposes, of the account is to facilitate the provision of a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and (c) the service is provided in the course of carrying on a business	the holder of the account
12	in the capacity of account provider for a new or existing account, allowing a person to become a signatory to the account, where:	the signatory

Table 3—Gambling services

Item	Provision of a designated service	Customer of the designated service
	<p>(a) the account provider is a person who provides a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and</p> <p>(b) the purpose, or one of the purposes, of the account is to facilitate the provision of a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and</p> <p>(c) the service is provided in the course of carrying on a business</p>	
13	<p>in the capacity of account provider for an account, allowing a transaction to be conducted in relation to the account, where:</p> <p>(a) the account provider is a person who provides a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and</p> <p>(b) the purpose, or one of the purposes, of the account is to facilitate the provision of a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and</p> <p>(c) the service is provided in the course of carrying on a business</p>	<p>both:</p> <p>(a) the holder of the account; and</p> <p>(b) each other signatory to the account</p>
14	<p>exchanging one currency (whether Australian or not) for another (whether Australian or not), where:</p> <p>(a) the exchange is provided by a person who provides a service covered by item 1, 2, 3, 4, 6, 7, 8 or 9; and</p> <p>(b) the service is provided in the course of carrying on a business</p>	the person whose currency is exchanged

Table 4—Prescribed services

(5) Table 4 is as follows:

Table 4—Prescribed services

Item	Provision of a designated service	Customer of the designated service
1	providing a service specified in the regulations	the person who, under the regulations, is taken to be the person to whom the service is provided

Geographical link

(6) An item of a table in this section, other than item 32A of table 1, does not apply to the provision by a person of a service to a customer unless:

- (a) the service is provided at or through a permanent establishment of the person in Australia; or
- (b) both of the following subparagraphs apply:
 - (i) the person is a resident of Australia;
 - (ii) the service is provided at or through a permanent establishment of the person in a foreign country; or
- (c) both of the following subparagraphs apply:
 - (i) the person is a subsidiary of a company that is a resident of Australia;
 - (ii) the service is provided at or through a permanent establishment of the person in a foreign country.

Note: For *resident*, see section 14.

Amendment of items

- (7) The regulations may amend an item of a table in this section.

APPENDIX D

Accused Copy		Form 8 - Rule 13		
Notice to Appear				
Person served				
Accused	Given Names		Surname	Date of Birth
	Address			
Street Name and No.				
Suburb/Town				Post Code
You are required to appear before a Magistrates' Court at				
Venue	Place			Date Notice Served
	Address			
Street Name and No.				
Suburb/Town			Post Code	Telephone
When	Time	Day	Month	Year
You are suspected of having committed the following offences				
These are general particulars of the offence(s) only				
The suspected offences were committed in the following manner				
General terms of the circumstances of the suspected offence(s)				
Member of the police force or authorised person				
Signature				Date
Authorised Person	Name		Rank	Reg. No.
Agency and Address	Station			Agency Ref.
	Street Name and No.			
	Suburb/Town			Post Code
	Telephone	Fax No.	Email	
IMPORTANT INFORMATION				
DO NOT IGNORE THIS NOTICE – GET LEGAL ADVICE				
When you must go to court				
You must go to court if you get a copy of the charge-sheet and preliminary brief. This means you have been charged with an offence. You will get a copy of the charge-sheet and preliminary brief within 21 days of getting this notice.				
If you do not appear at court, the magistrate may:				
<ul style="list-style-type: none"> • Make a decision without you about your case and issue a penalty based on the information in the preliminary brief • Order that you be arrested and get the police to bring you to court. 				
When you do not need to go to court				
You do not have to go to court if you get a written notice that says that a charge-sheet has not been filed and you do not have to go to court.				

CHARGE AND SUMMONS

Defendant Copy - Bring this with you to Court

Magistrates' Court General Regulations 69/2000 Form 7

TO THE DEFENDANT	Unsuitable Dates		
	Preferred Dates		
	M <input type="checkbox"/>	F <input type="checkbox"/>	Co. <input type="checkbox"/>
You have been charged with an offence against the law. Read these pages to see what you must do.		Registration No.	State
		Licence No.	State

Details of the charge against you	
What is the charge?	1

Under what law?	<input type="checkbox"/> State <input type="checkbox"/> Act <input type="checkbox"/> Other - <small>Specify</small> <input type="checkbox"/> C'wealth <input type="checkbox"/> Reg	Act or Regulation No.	Section/Clause <small>(Full Ref.)</small>
Type of Offence	<input type="checkbox"/> Summary Offence (You should go to Court) <input type="checkbox"/> Indictable Offence (You must go to Court)		
Are there more charges?	<input type="checkbox"/> No <input type="checkbox"/> Yes - see "Continuation of Charges" attached.		
Informant			Phone No:
Agency and Address			
Informant Signature		Date	

Where will the case be heard			
Where you must go	The <input type="checkbox"/> Magistrates' / <input type="checkbox"/> Children's Court of Victoria at		
Address			Phone No
When	Time 10:00 am	Day	Month Year

Details about this summons		<input type="checkbox"/> S 30
Issued at		Date
Issued by:	Signature <input type="text"/> <input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Police Informant	
Charge Filed at	by (member) <input type="text"/>	Emp No <input type="text"/>
Method of Filing	<input type="checkbox"/> mail / personal * delete inapplicable	Date <input type="text"/>