

Chapter 17 **Reportable details for international funds transfer instructions under a designated remittance arrangement (items 3 and 4 in section 46)**

(Rules commencing on 12 December 2008)

17.1 These Anti-Money Laundering and Counter-Terrorism Financing Rules (Rules) are made under section 229 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) for paragraph 45(3)(b) of that Act.

Instructions transmitted out of Australia

17.2 A report about an international funds transfer instruction (the instruction), within the meaning of item 3 of the table in section 46 of the AML/CTF Act, must contain:

- (1) if the transferor entity is an individual:
 - (a) the transferor entity's full name;
 - (b) any other name used by the transferor entity, if known;
 - (c) the transferor entity's date of birth;
 - (d) the transferor entity's full residential address (not being a post box address);
 - (e) the transferor entity's postal address, if different from subparagraph 17.2(1)(d), if known;
 - (f) the transferor entity's telephone number, if known;
 - (g) the transferor entity's email address, if known;
 - (h) the transferor entity's occupation, business or principal activity **and ABN**, if known;
 - (i) a description of the reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the transferor entity, if applicable;
 - (j) the identification number assigned to the transferor entity, if applicable;
- (2) if the transferor entity is a non-individual:
 - (a) the name of the transferor entity and any business name under which the transferor entity is operating;

- (b) a description of the legal form of the transferor entity and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (c) the business or principal activity of the transferor entity, if known;
 - (d) the full address (not being a post box address) of the transferor entity at which the entity carries on business, or its principal place of business;
 - (e) the transferor entity's postal address, if different from subparagraph 17.2(2)(d), if known;
 - (f) where the transferor entity has an ACN or ARBN – that number;
 - (g) where the transferor entity has an ABN – that number;
 - (h) the transferor entity's telephone number, if known;
 - (i) the transferor entity's email address, if known;
 - (j) a description of the reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the transferor entity, if applicable;
 - (k) the identification number assigned to the transferor entity, if applicable;
- (3) the name and address (not being a post box address) of a person that accepts money or property from the transferor entity, which is, or is to be, transferred under a designated remittance arrangement;
 - (4) the date on which the person accepts the money or property from the transferor entity;
 - (5) the name, identifier (if applicable) and address (not being a post box address) of the person at which it accepts the instruction from the transferor entity, if different from subparagraph 17.2(3);
- (5A) the number of the transferor entity's account held with the person which accepts the instruction from the transferor entity, if applicable;**
- (6) where a person (other than the person referred to in subparagraph 17.2(3)) transmits the instruction for the transfer of money or property under the designated remittance arrangement (transmitter):
 - (a) if the transmitter is an individual:
 - (i) the transmitter's full name;

- (ii) any other name used by the transmitter, if known;
 - (iii) the transmitter's date of birth, if known;
 - (iv) the transmitter's address (not being a post box address);
 - (v) the transmitter's postal address, if different from subparagraph 17.2(6)(a)(iv), if known;
 - (vi) the transmitter's telephone number, if known;
 - (vii) the transmitter's email address, if known;
 - (viii) the transmitter's occupation, business or principal activity, if known;
- (b) if the transmitter is a non-individual:
- (i) the name of the transmitter and any business name under which the transmitter is operating;
 - (ii) a description of the legal form of the transmitter and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (iii) the business or principal activity of the transmitter, if known;
 - (iv) the address (not being a post box address) of the transmitter at which the transmitter carries on business, or its principal place of business;
 - (v) the transmitter's postal address, if different from subparagraph 17.2(6)(b)(iv), if known;
 - (vi) where the transmitter has an ACN or ARBN – that number;
 - (vii) where the transmitter has an ABN – that number;
 - (viii) the transmitter's telephone number, if known;
 - (ix) the transmitter's email address, if known;

(6A) the name and address of the person in the foreign country to which the transmitter sent the instruction for the transfer of money or property;

- (7) the name, identifier (if applicable) and address of a person (disbursing entity) at which the money or property is, or is to be, made available to the ultimate transferee entity;

- (8) the date on which the money or property becomes accessible for the disbursing entity to make available to the ultimate transferee entity, if known;
- (9) if the ultimate transferee entity is an individual, the ultimate transferee entity's:
 - (a) full name;
 - (b) date of birth, if known;
 - (c) address (not being a post box address);
 - (d) postal address, if different from subparagraph 17.2(9)(c), if known;
 - (e) telephone number, if known;
 - (f) email address, if known;
- (10) if the ultimate transferee entity is a non-individual:
 - (a) the name of the ultimate transferee entity and any business name under which the ultimate transferee entity is operating;
 - (b) a description of the legal form of the ultimate transferee entity and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (c) the business or principal activity of the ultimate transferee entity, if known;
 - (d) the address (not being a post box address) of the ultimate transferee entity at which it carries on business, or its principal place of business;
 - (e) the ultimate transferee entity's postal address if different from subparagraph 17.2(10)(d), if known;
 - (f) the ultimate transferee entity's telephone number, if known;
 - (g) the ultimate transferee entity's email address, if known;
- (11) if money is to be transferred:
 - (a) the amount referred to in the instruction;
 - (b) the currency of the amount referred to in the instruction;
- (12) if property is to be transferred (transferred property):
 - (a) a description of the transferred property referred to in the instruction;

- (b) the value of the transferred property referred to in the instruction;
- (c) the currency used to value the transferred property referred to in the instruction;

(12A) if money is to be made available to the ultimate transferee entity by a person in a foreign country depositing or arranging for the money to be deposited into an account held by the ultimate transferee entity with that person, whether or not held jointly with any other person or persons:

- (a) the account number of that account, if applicable;**
- (b) the name in which the account is held, if applicable; and**
- (c) the name and location of the institution at which the account is held;**

(12B) any reference number allocated by the reporting entity to the instruction;

- (13) any information given in the instruction about the reason for transferring the money or property.

Instructions transmitted into Australia

17.3 A report about an international funds transfer instruction (the instruction), within the meaning of item 4 in the table in section 46 of the AML/CTF Act, must contain:

- (1) if the transferor entity is an individual:
 - (a) the transferor entity's name;
 - (b) any other name used by the transferor entity, if known;
 - (c) the transferor entity's date of birth, if known;
 - (d) the transferor entity's address (not being a post box address);
 - (e) the transferor entity's postal address, if different from subparagraph 17.3(1)(d), if known;
 - (f) the transferor entity's telephone number, if known;
 - (g) the transferor entity's email address, if known;
 - (h) the transferor entity's occupation, business or principal activity, if known;

- (2) if the transferor entity is a non-individual:
 - (a) the name of the transferor entity and any business name under which the transferor entity is operating;
 - (b) a description of the legal form of the transferor entity and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (c) the business or principal activity of the transferor entity, if known;
 - (d) the address (not being a post box address) of the transferor entity at which it carries on business, or its principal place of business;
 - (e) the transferor entity's postal address, if different from subparagraph 17.3(2)(d), if known;
 - (f) the transferor entity's telephone number, if known;
 - (g) the transferor entity's email address, if known;
- (3) for a person in a foreign country who accepts the instruction from the transferor entity for the transfer of money or property (foreign entity):
 - (a) if the foreign entity is an individual:
 - (i) the foreign entity's full name;
 - (ii) any other name used by the foreign entity, if known;
 - (iii) the foreign entity's date of birth, if known;
 - (iv) the foreign entity's address (not being a post box address);
 - (v) the foreign entity's postal address, if different from subparagraph 17.3(3)(a)(iv), if known;
 - (vi) the foreign entity's telephone number, if known;
 - (vii) the foreign entity's email address, if known;
 - (viii) the foreign entity's occupation, business or principal activity, if known;
 - (b) if the foreign entity is a non-individual:
 - (i) the name of the foreign entity and any business name under which the foreign entity is operating;
 - (ii) a description of the legal form of the foreign entity and any business structure it is a part of, for the purposes of its main

- business activities, if known (for example, partnership, trust or company);
- (iii) the business or principal activity of the foreign entity, if known;
 - (iv) the address (not being a post box address) of the foreign entity at which it carries on business, or its principal place of business;
 - (v) the foreign entity's postal address, if different from subparagraph 17.3(3)(b)(iv), if known;
 - (vi) the foreign entity's telephone number, if known;
 - (vii) the foreign entity's email address, if known;
- (4) the date on which the foreign entity accepts the money or property from the transferor entity;
- (5) the name, identifier (if applicable) and address (not being a post box address) of the foreign entity at which it accepts the instruction from the transferor entity, if applicable and known;
- (5A) the number of the transferor entity's account held with the foreign entity which accepts the instruction from the transferor entity, if applicable;**
- (6) where a person (other than the foreign entity) transmits the instruction for the transfer of money or property under the designated remittance arrangement (transmitter):
- (a) if the transmitter is an individual:
 - (i) the transmitter's full name, if known;
 - (ii) any other name used by the transmitter, if known;
 - (iii) the transmitter's date of birth, if known;
 - (iv) the transmitter's address (not being a post box address), if known;
 - (v) the transmitter's postal address, if different from subparagraph 17.3(6)(a)(iv), if known;
 - (vi) the transmitter's telephone number, if known;
 - (vii) the transmitter's email address, if known;
 - (viii) the transmitter's occupation, business or principal activity, if known;

- (b) if the transmitter is a non-individual:
 - (i) the name of the transmitter and any business name under which the transmitter is operating, if known;
 - (ii) a description of the legal form of the transmitter and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (iii) the business or principal activity of the transmitter, if known;
 - (iv) the address (not being a post box address) of the transmitter at which it carries on business, or its principal place of business, if known;
 - (v) the transmitter's postal address, if different from subparagraph 17.3(6)(b)(iv), if known;
 - (vi) the transmitter's telephone number, if known;
 - (vii) the transmitter's email address, if known;

(6A) the name and address of the entity in Australia to which the instruction for the transfer of money or property was sent by the transmitter;

- (7) the date on which the reporting entity makes or will make the money or property available to the ultimate transferee entity;
- (8) the name and full address (not being a post box address) of the reporting entity that makes or will make the money or property available to the ultimate transferee entity in Australia;
- (9) the name, identifier (if applicable) and address (not being a post box address) of the reporting entity, if different from subparagraph 17.3(8), at which the money or property was made or is to be made available to the ultimate transferee entity in Australia;
- (10) if the ultimate transferee entity is an individual, the ultimate transferee entity's:
 - (a) full name;
 - (b) date of birth, if known;
 - (c) full residential address (not being a post box address), if known;
 - (d) postal address, if different from subparagraph 17.3(10)(c), if known;

- (e) telephone number, if known;
 - (f) email address, if known;
 - (g) occupation, business or principal activity and ABN, if known;**
- (11) if the ultimate transferee entity is a non-individual:
- (a) the name of the ultimate transferee entity and any business name under which the ultimate transferee entity is operating;
 - (b) a description of the legal form of the ultimate transferee entity and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (c) the business or principal activity of the ultimate transferee entity, if known;
 - (d) the full address (not being a post box address) of the ultimate transferee entity at which it carries on business, or its principal place of business, if known;
 - (e) the ultimate transferee entity's postal address, if different from subparagraph 17.3(11)(d), if known;
 - (f) where the ultimate transferee entity has an ACN or ARBN – that number;
 - (g) where the ultimate transferee entity has an ABN – that number;
 - (h) the ultimate transferee entity's telephone number, if known;
 - (i) the ultimate transferee entity's email address, if known;
- (12) if money is to be transferred:
- (a) the amount referred to in the instruction;
 - (b) the currency of the amount referred to in the instruction;
- (13) if property is to be transferred (transferred property):
- (a) a description of the transferred property referred to in the instruction;
 - (b) the value of the transferred property referred to in the instruction;
 - (c) the currency used to value the transferred property referred to in the instruction;

(13A) if money is to be made available to the ultimate transferee entity by a person in Australia depositing or arranging for the money to be deposited into an account held by the ultimate transferee entity with that person, whether or not held jointly with any other person or persons:

(a) the account number of that account, if applicable;

(b) the name in which the account is held, if applicable; and

(c) the name and location of the institution at which the account is held;

(13B) any reference number allocated by the reporting entity to the instruction;

(14) any information given in the instruction about the reason for transferring the money or property.

17.4 A report under subsection 45(2) of the AML/CTF Act must contain the following details about the person completing the report:

(1) Full name;

(2) Job title or position;

(3) Telephone number; and

(4) Email address.

Reporting entities should note that in relation to activities they undertake to comply with the AML/CTF Act, they will have obligations under the Privacy Act 1988, including the requirement to comply with the National Privacy Principles, even if they would otherwise be exempt from the Privacy Act. For further information about these obligations, please go to <http://www.privacy.gov.au> or call 1300 363 992.

Chapter 18 Reportable details for suspicious matters

(Rules commencing on 12 December 2008)

18.1 These Anti-Money Laundering and Counter-Terrorism Financing Rules (Rules) are made under section 229 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) for paragraph 41(3)(b) of that Act.

18.2 A suspicious matter report must contain the following information:

- (1) a statement of whether the person (first person) is a customer of the reporting entity;
- (2) a statement of whether the first person has requested the reporting entity to provide a designated service to the first person and that service is of a kind ordinarily provided by the reporting entity;
- (3) a statement of whether the first person enquired of the reporting entity whether it would be willing or prepared to provide the designated service to the first person and that service is of a kind ordinarily provided by the reporting entity;
- (4) a statement of whether the reporting entity has commenced to provide or proposes to provide the designated service to the first person;
- (5) a description of any conditions in paragraphs 41(1)(d) to (j) of the AML/CTF Act that relate to the provision or prospective provision of the designated service by the reporting entity (suspicious matter);
- (6) a description of any designated service to which the suspicious matter relates;
- (7) a description of the reasonable grounds for suspicion relating to the suspicious matter;

Individual

- (8) if the first person is an individual:
 - (a) the full name of the first person, if known;
 - (b) the telephone number of the first person, if known;
 - (c) the full address of the first person (not being a post box address), if known;
 - (d) the postal address of the first person, if different from subparagraph 18.2(8)(c), if known;
 - (e) the date of birth of the first person, if known;

- (f) the country of citizenship of the first person, if known;
- (g) the occupation, business or principal activity **and ABN** of the first person, if known;
- (h) any other name used by the first person, if known;
- (i) the email address of the first person, if known;
- (j) a description of the reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the first person, if applicable;

Individual – where identity cannot be established

- (9) if the first person is an individual whose identity cannot be established; for example, where the provision or prospective provision of the designated service to which the suspicious matter relates occurred in a face-to-face circumstance:
 - (a) a description of the first person;
 - (b) a statement of whether any relevant documentation exists including a video or photograph, if known and held by the reporting entity;
 - (c) a description of any such relevant documentation relating to the first person, if known;
 - (d) the address of the first person (not being a post box address), if known;
 - (e) the email address of the first person, if known;

Non-individual

- (10) if the first person is not an individual:
 - (a) the name of the first person and any business name under which the first person is operating, if known;
 - (b) a description of the legal form of the first person and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (c) the business or principal activity of the first person, if known;
 - (d) the full address of the first person (not being a post box address), at which the person carries on business, or principal place of business, if known;
 - (e) the postal address of the first person, if different from subparagraph 18.2(10)(d), if known;

- (f) the telephone number of the first person, if known;
- (g) where the first person has an ACN or ARBN – that number, if known;
- (h) where the first person has an ABN – that number, if known;
- (i) a description of any documentation relating to the first person to which the suspicious matter relates, if known;
- (j) the name(s) of the beneficial owner(s) of the first person, if known;
- (k) the name(s) of the office holder(s) of the first person, if known;
- (l) the country at which the first person was incorporated, formed or registered, if known;
- (m) the email address of the first person, if known;
- (n) a description of the reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the first person, if applicable;

Agent

- (11) a statement of whether a person dealing with the reporting entity in relation to the provision or proposed provision of the designated service to which a suspicious matter relates, is an agent of the first person (agent);
- (12) Where subparagraph 18.2(11) applies:
 - (a) a statement of whether the agent is a customer of the reporting entity;
 - (b) a description of the relationship between the agent and the first person, if known;
 - (c) a description of any evidence of the first person's authorisation of the agent, if known;

Agent – individual

- (13) If the agent is an individual:
 - (a) the full name of the agent, if known;
 - (b) the date of birth of the agent, if known;
 - (c) the full address of the agent (not being a post box address), if known;

- (d) the postal address of the agent, if different from subparagraph 18.2(13)(c), if known;
- (e) the telephone number of the agent, if known;
- (f) the email address of the agent, if known;
- (g) the country of citizenship of the agent, if known;
- (h) the occupation, business or principal activity **and ABN** of the agent, if known;
- (i) any other name(s) used by the agent, if known;
- (j) a description of any reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the agent, if applicable;

Agent – where identity cannot be established – individual

- (14) if the agent's identity cannot be established; for example, where the provision or prospective provision of the designated service to which the suspicious matter relates occurred in a face-to-face circumstance:
 - (a) a description of the agent, if applicable;
 - (b) a statement of whether any relevant documentation exists including a video or photograph, if known and held by the reporting entity;
 - (c) a description of any such relevant documentation relating to the agent, if known;
 - (d) the address of the agent (not being a post box address), if known;
 - (e) the email address of the agent, if known;

Agent – non-individual

- (15) if the agent is not an individual:
 - (a) the name of the agent and any business name(s) under which the agent is operating, if applicable;
 - (b) a description of the legal form of the agent and any business structure it is a part of, for the purposes of its main business activities, if known (for example, partnership, trust or company);
 - (c) the business or principal activity of the agent, if applicable;
 - (d) the full address of the agent (not being a post box address), at which the person carries on business, or principal place of business, if known;

- (e) the postal address of the agent, if different from subparagraph 18.2(15)(d), if known;
- (f) where the agent has an ACN or ARBN – that number, if known;
- (g) where the agent has an ABN – that number, if known;
- (h) a description of any documentation relating to the agent to which the suspicious matter relates, if known;
- (i) the telephone number of the agent, if known;
- (j) the email address of the agent, if known;
- (k) the country in which the agent was incorporated, formed or registered, if known;
- (l) the name(s) of beneficial owner(s) of the agent, if known;
- (m) the name(s) of office holder(s) of the agent, if known;
- (n) a description of any reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the agent, if applicable;

Other relevant information

- (16) the date(s) on which any of the following occurs in respect of the designated service to which the suspicious matter relates:
 - (a) the reporting entity commences to provide or proposes to provide the designated service to the first person; or
 - (b) the first person requests the reporting entity to provide the designated service, of a kind ordinarily provided by the reporting entity, to the first person; or
 - (c) the first person enquires of the reporting entity whether it would be willing or prepared to provide the designated service, of a kind ordinarily provided by the reporting entity, to the first person; or
 - (d) the agent deals with the reporting entity in relation to the provision or prospective provision of the designated service;
- (17) the reporting entity's identifier number (where applicable) or reference number relating to the provision or prospective provision of the designated service to which the suspicious matter relates;
- (18) where an account provided by a reporting entity or another person relates to the designated service to which the suspicious matter relates:
 - (a) the name appearing on the account;

- (b) the name of the provider of the account, if known;
 - (c) a description of the account, if known;
 - (d) the account number, if known;
 - (e) the name(s) of signatory(ies) to the account, if known;
 - (f) the BSB number of the account, if applicable and known;
 - (g) the date on which the account was opened, if known;
 - (h) a description of any documentation relating to the account, if known;
 - (i) the balance(s) of the account on the date(s) to which a suspicious matter relates, if known;
- (19) the total amount related to the designated service to which the suspicious matter relates, in Australian dollars and/or foreign currency;
- (20) where the total amount consists of components, for such of the components which relate to the grounds for the suspicion, if applicable and known:
- (a) a description of each of the components;
 - (b) the amount of each of the components in Australian dollars;
 - (c) the type of foreign currency and amount of the foreign currency, where applicable, in relation to each of the components;
 - (d) the name of the drawer or issuer of each of the components, if applicable;
 - (e) the name and branch of the institution or foreign financial institution at which each of the components is, or was, drawn or issued, if applicable;
 - (f) the country in which the branch referred to in subparagraph 18.2(20)(e) is located;
 - (g) the name of the payee of each of the components, where applicable;
 - (h) if the payee of each of the components is not the beneficiary, the full name of the beneficiary, if known;
 - (i) the date on which each of the components occurs;**

- (21) if applicable, where money or property is transferred or is to be transferred under the provision or prospective provision of the designated service to which the suspicious matter relates:
- (a) the full name of the sender;
 - (b) the full address of the sender (not being a post box address);
 - (c) the postal address of the sender, if different from subparagraph 18.2(21)(b), if known;
 - (d) the telephone number of the sender, if known;
 - (e) the email address of the sender, if known;
 - (f) a statement of whether the money was transferred or is to be transferred;
 - (g) a statement of whether the property was transferred or is to be transferred;
 - (h) a description of the property which is or is to be transferred;
 - (i) the account number of the sender from which money or property is transferred or is to be transferred, or where an account does not exist, a unique reference number relating to the transfer of money or property;
 - (j) the name of the institution or entity that issued the account referred to in subparagraph 18.2(21)(i);
 - (k) the full name of any payee, if known;
 - (l) if the payee is not the beneficiary, the full name of the beneficiary, if known;
 - (m) the full address of the payee and/or beneficiary (not being a post box address), if known;
 - (n) the postal address of the payee and/or beneficiary, if different from subparagraph 18.2(21)(m), if known;
 - (o) the account number of the beneficiary and/or payee;
 - (p) the name of the institution or entity that issued the account referred to in subparagraph 18.2(21)(o);
 - (q) the country in which the institution or entity referred to in subparagraph 18.2(21)(p) is located;
 - (r) the date on which the money or property is transferred or is to be transferred;**

- (22) if another institution, entity or intermediary was involved in the reporting entity's provision or prospective provision of the designated service to which the suspicious matter relates:
 - (a) the full name of the other institution, entity or intermediary;
 - (b) the branch name or country of the other institution, entity or intermediary;
 - (c) the country of the branch of the other institution, entity or intermediary, if the country is not Australia;
- (23) the name of the reporting entity;
- (24) the full address and branch of the reporting entity (not being a post box address), at which any of the following applies:
 - (a) the reporting entity commences to provide or proposes to provide the designated service (to which the suspicious matter relates) to the first person; or
 - (b) the first person requests the reporting entity to provide the designated service (to which the suspicious matter relates), of a kind ordinarily provided by the reporting entity, to the first person; or
 - (c) the first person enquires of the reporting entity whether it would be willing or prepared to provide the designated service (to which the suspicious matter relates), of a kind ordinarily provided by the reporting entity, to the first person; or
 - (d) the agent deals with the reporting entity in relation to the provision or the prospective provision of the designated service (to which the suspicious matter relates);
- ~~(25) the full name of the person preparing the report under subsection 41(3) of the AML/CTF Act (report);~~
- ~~(26) the title of the person preparing the report;~~
- (27) if a suspicious matter has been reported or is to be reported to an Australian government body that has responsibility for law enforcement referred to in paragraph 123(9)(b) of the AML/CTF Act:
 - (a) a description of the Australian government body;
 - (b) the address of the Australian government body;
 - (c) a description of the information which was provided to the Australian government body;
 - (d) the date on which the suspicious matter is to be, or was, reported;

- (28) where a suspicious matter reporting obligation has previously arisen for the reporting entity in relation to the first person and was previously reported to AUSTRAC under section 41 of the AML/CTF Act:
- (a) the date on which the suspicious matter was reported, if known;
 - ~~(b) the identifier number or reference number issued by AUSTRAC, if known.~~
 - (b) any identifier number or reference number given by the reporting entity to the previous report, if known.**

18.3 A report under subsection 41(2) of the AML/CTF Act must contain the following details about the person completing the report:

- (1) Full name;**
- (2) Job title or position;**
- (3) Telephone number; and**
- (4) Email address.**

Reporting entities should note that in relation to activities they undertake to comply with the AML/CTF Act, they will have obligations under the Privacy Act 1988, including the requirement to comply with the National Privacy Principles, even if they would otherwise be exempt from the Privacy Act. For further information about these obligations, please go to <http://www.privacy.gov.au> or call 1300 363 992.

Chapter 19 Reportable details for threshold transactions

- 19.1 This Chapter commences on 12 December 2008.
- 19.2 These Rules are made under section 229 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) for paragraph 43(3)(b) of that Act.
- 19.3 A report under subsection 43(2) of the AML/CTF Act must contain the following details about a threshold transaction:
- (1) if the customer of the designated service is an individual, the customer's:
 - (a) full name **and any other name used by the customer, if known;**
 - (aa) any business name(s) under which the customer operates;**
 - (b) date of birth;
 - (c) full address (not being a post box address);
 - (ca) the postal address of the customer if different from that in 19.3(1)(c), if known;**
 - (d) telephone number, if known;
 - (e) the ABN of the customer, if known;**
 - (2) if the customer of the designated service is not an individual:
 - (a) the name of the customer and any business name(s) under which the customer operates;
 - (b) a description of the legal form of the customer and any business structure it is a part of, for the purposes of its main business activities, if known (for example: partnership, trust or company);
 - (c) the full address of the customer's principal place of business (not being a post box address) if applicable;
 - ~~(d) the full address of the customer's registered office, if known;~~
 - (d) the postal address of the customer if different from that in 19.3(2)(c), if known;**

- (e) the ACN, ARBN and/or ABN of the customer, if known;
 - (f) the customer's telephone number, if known;
- (3) **the occupation, business or principal activity of the customer or** the relevant industry or occupation code(s) that applies to the customer's business or occupation, if known, such as (without limitation):
- (a) the Australian Bureau of Statistics in the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 (as amended from time to time); or
 - (b) the relevant industry code that applies to the customer's business as published by the Australian Bureau of Statistics in the Australian Standard Classification of Occupations (ASCO) (as amended from time to time);
- (4) the date of the threshold transaction;
- ~~(5) a description of the designated service provided or commenced to be provided by the reporting entity to the customer which involves the threshold transaction and, where applicable, the following information:~~
- ~~(a) where a cheque is provided to the customer:~~
 - ~~(i) the name of the drawer;~~
 - ~~(ii) the name of the drawee;~~
 - ~~(iii) the amount of the cheque;~~
- (5) a description of the designated service provided or commenced to be provided by the reporting entity to the customer which involves the threshold transaction;**
- ~~(6) the total amount of the threshold transaction in Australian dollars;~~
- (6) where applicable, the total of each of the following amounts, and the sum of these amounts, provided to or received from the customer relating to the threshold transaction:**
- (a) money, including the total of each component thereof, and the type and total of each currency where a component is physical currency;**
 - (b) international funds transfers;**
 - (c) cheques;**
 - (d) bank cheques;**

- (e) bank drafts;**
- (f) traveller's cheques;**
- (g) money or postal orders;**
- (h) hire purchase or finance lease payments;**
- (i) negotiable debt instruments;**
- (j) benefit payments or payouts;**
- (k) contributions or premiums;**
- (l) derivatives or futures;**
- (m) securities;**
- (n) bullion;**
- (o) stored value cards (including whether the card was issued or topped up);**
- (p) gambling chips or tokens;**
- (q) electronic gaming machine payouts;**
- (r) winning tickets from wagering;**
- (s) buying into a game (for a gambling service);**
- (t) placing a bet; and**
- (u) any other value;**

(7) all of the following details, as applicable to the threshold transaction:

- (a) where the threshold transaction involves physical currency:
 - (i) the total amount in Australian dollars;
 - (ii) if the amount involves foreign currency, a description and amount of the currency;
 - (iii) the name(s) of the recipient(s);
 - (iv) the full address(es) of the recipient(s) (not being a post box address) if known;
 - (v) the date(s) of birth of the recipient(s), if known;

(vi) a description of the purpose of the transfer(s);

(vii) if the purpose of the transfer(s) is to:

(a) enable a cheque to be provided to the customer using all or part of the physical currency transferred by the customer; or

(b) enable the customer to receive physical currency in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

(b) where the threshold transaction involves e-currency:

(i) the total amount in Australian dollars;

(ii) if the amount is denominated in foreign currency, a description and amount of the currency;

(iii) a description of the e-currency including details of the backing asset or thing, if known;

(iv) the name(s) of the recipient(s);

(v) the full address(es) of the recipient(s) (not being a post box address), if known;

(vi) the date(s) of birth of the recipient(s), if known;

(vii) a description of the purpose of the transfer(s);

(viii) if the purpose of the transfer(s) is to:

(a) enable a cheque to be provided to the customer using all or part of the e-currency transferred by the customer; or

(b) enable the customer to receive e-currency in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

- (c) where the threshold transaction is of a kind specified in the regulations involving money:
- (i) the total amount in Australian dollars;
 - (ii) if the amount involves foreign currency, a description and amount of the currency;
 - (iii) a description of the type of specified transaction;
 - (iv) the name(s) of the recipient(s);
 - (v) the full address(es) of the recipient(s) (not being a post box address), if known;
 - (vi) the date(s) of birth of the recipient(s), if known;
 - (vii) a description of the purpose of the transfer(s);
 - (viii) if the purpose of the transfer(s) is to:**

(a) enable a cheque to be provided to the customer using all or part of the money transferred by the customer; or

(b) enable the customer to receive money in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

- (d) where the threshold transaction is of a kind specified in the regulations involving the transfer of property:
- (i) a description of the type of specified transaction;
 - (ii) the value of the transferred property in Australian dollars;

- (iii) if value of the transferred property involves foreign currency, a description and amount of the currency;
- (iv) the name(s) of the recipient(s);
- (v) the full address(es) of the recipient(s) (not being a post box address), if known;
- (vi) the date(s) of birth of the recipient(s), if known;
- (vii) a description of the purpose of the transfer(s);

(viii) if the purpose of the transfer(s) is to:

(a) enable a cheque to be provided to the customer using all or part of the property transferred by the customer; or

(b) enable the customer to receive property in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

- (8) a description of any account opened by the reporting entity that involves the threshold transaction including the account's identifying number;
- (9) the name and, if applicable, identifying number of the reporting entity;
- (10) the name and, if applicable, identifying number of the reporting entity at which the threshold transaction was conducted;
- (11) the address of the reporting entity at which the threshold transaction was conducted;
- (12) any identifying or transaction number assigned to the threshold transaction;
- (13) a description of the reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the customer, if applicable.

~~19.4 In these Rules the terms 'ABN', 'ACN' and 'ARBN' have the same respective meanings as in the *Corporations Act 2001*.~~

19.4. A report under subsection 43(2) of the AML/CTF Act must contain the following details about the person completing the report:

- (1) Full name;**
- (2) Job title or position;**
- (3) Telephone number; and**
- (4) Email address.**

Reporting entities should note that in relation to activities they undertake to comply with the AML/CTF Act, they will have obligations under the Privacy Act 1988, including the requirement to comply with the National Privacy Principles, even if they would otherwise be exempt from the Privacy Act. For further information about these obligations, please go to <http://www.privacy.gov.au> or call 1300 363 992.

Chapter 19

Reportable details for threshold transactions

19.1 This Chapter commences on 1 January 2011.

Note: For obligations and liabilities under the Rules in chapter 19 (commencing on 12 December 2008) as in force on 31 December 2010, see section 8 of the Acts Interpretation Act 1901.

19.2 These Rules are made under section 229 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) for paragraph 43(3)(b) of that Act.

19.3 A report under subsection 43(2) of the AML/CTF Act must contain the following details about a threshold transaction:

- (1) if the customer of the designated service is an individual:
 - (a) the customer's full name **and any other name used by the customer, if known;**
 - (aa) any business name(s) under which the customer operates;**
 - (b) the customer's date of birth;
 - (c) the customer's full address (not being a post box address);
 - (ca) the postal address of the customer if different from that in 19.3(1)(c), if known;**
 - (d) the customer's telephone number, if known;
 - (da) the ABN of the customer, if known;**
 - (e) if the person conducting the threshold transaction is not the customer, the details of the person specified in subparagraph 19.3(14)(a) and if applicable, 19.3(14)(b), of these Rules;
- (2) if the customer of the designated service is not an individual:
 - (a) the name of the customer and any business name(s) under which the customer operates;
 - (b) a description of the legal form of the customer and any business structure it is a part of, for the purposes of its main business activities, if known (for example: partnership, trust or company);
 - (c) the full address of the customer's principal place of business (not being a post box address), if applicable;

- ~~(d) — the full address of the customer’s registered office, if known;~~
 - (d) the postal address of the customer if different from that in 19.3(2)(c), if known;
 - (e) the ACN, ARBN and/or ABN of the customer, if known;
 - (f) the customer’s telephone number, if known;
 - (g) the details of the person conducting the threshold transaction specified in subparagraph 19.3(14)(a) and if applicable, 19.3(14)(b), of these Rules;
- (3) the occupation, business or principal activity of the customer or the relevant industry or occupation code(s) that applies to the customer’s business or occupation, if known, such as (without limitation):
- (a) the Australian Bureau of Statistics in the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 (as amended); or
 - (b) the relevant industry code that applies to the customer’s business as published by the Australian Bureau of Statistics in the Australian Standard Classification of Occupations (ASCO) (as amended from time to time);
- (4) the date of the threshold transaction;
- ~~(5) — a description of the designated service provided or commenced to be provided by the reporting entity to the customer which involves the threshold transaction and where applicable, the following information:~~
- ~~(a) — where a cheque is provided to the customer:~~
 - ~~(i) — the name of the drawer;~~
 - ~~(ii) — the name of the drawee;~~
 - ~~(iii) — the amount of the cheque;~~
- (5) a description of the designated service provided or commenced to be provided by the reporting entity to the customer which involves the threshold transaction;
- ~~(6) — the total of the threshold transaction in Australian dollars;~~
- (6) where applicable, the total of each of the following amounts, and the sum of these amounts, provided to or received from the customer relating to the threshold transaction;

- (a) money, including the total of each component thereof, and the type and total of each currency where a component is physical currency;**
 - (b) international funds transfers;**
 - (c) cheques;**
 - (d) bank cheques;**
 - (e) bank drafts;**
 - (f) traveller's cheques;**
 - (g) money or postal orders;**
 - (h) hire purchase or finance lease payments;**
 - (i) negotiable debt instruments;**
 - (j) benefit payments or payouts;**
 - (k) contributions or premiums;**
 - (l) derivatives or futures;**
 - (m) securities;**
 - (n) bullion;**
 - (o) stored value cards (including whether the card was issued or topped up);**
 - (p) gambling chips or tokens;**
 - (q) electronic gaming machine payouts;**
 - (r) winning tickets from wagering;**
 - (s) buying into a game (for a gambling service);**
 - (t) placing a bet; and**
 - (u) any other value;**
- (7) all of the following details, as applicable to the threshold transaction:
- (a) where the threshold transaction involves physical currency:
 - (i) the total amount in Australian dollars;

- (ii) if the amount involves foreign currency, a description and amount of the currency;
- (iii) the name(s) of the recipient(s);
- (iv) the full address(es) of the recipient(s) (not being a post box address), if known;
- (v) the date(s) of birth of the recipient(s), if known;
- (vi) a description of the purpose of the transfer(s);
- (vii) if the purpose of the transfer(s) is to:**

(a) enable a cheque to be provided to the customer using all or part of the physical currency transferred by the customer; or

(b) enable the customer to receive physical currency in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

- (b) where the threshold transaction involves e-currency:
 - (i) the total amount in Australian dollars;
 - (ii) if the amount is denominated in foreign currency, a description and amount of the currency;
 - (iii) a description of the e-currency including details of the backing asset or thing, if known;
 - (iv) the name(s) of the recipient(s);
 - (v) the full address(es) of the recipient(s) (not being a post box address), if known;
 - (vi) the date(s) of birth of the recipient(s), if known;
 - (vii) a description of the purpose of the transfer(s);**
 - (viii) if the purpose of the transfer(s) is to:**

(a) enable a cheque to be provided to the customer using all or part of the e-currency transferred by the customer; or

(b) enable the customer to receive e-currency in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

(c) where the threshold transaction is of a kind specified in the regulations involving money:

(i) the total amount in Australian dollars;

(ii) if the amount involves foreign currency, a description and amount of the currency;

(iii) a description of the type of specified transaction;

(iv) the name(s) of the recipient(s);

(v) the full address(es) of the recipient(s) (not being a post box address), if known;

(vi) the date(s) of birth of the recipient(s), if known;

(vii) a description of the purpose of the transfer(s);

(viii) if the purpose of the transfer(s) is to:

(a) enable a cheque to be provided to the customer using all or part of the money transferred by the customer; or

(b) enable the customer to receive money in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

- (d) where the threshold transaction is of a kind specified in the regulations involving the transfer of property:
- (i) a description of the type of specified transaction;
 - (ii) the value of the transferred property in Australian dollars;
 - (iii) if value of the transferred property involves foreign currency, a description and amount of the currency;
 - (iv) the name(s) of the recipient(s);
 - (v) the full address(es) of the recipient(s) (not being a post box address), if known;
 - (vi) the date(s) of birth of the recipient(s), if known;
 - (vii) a description of the purpose of the transfer(s);

(viii) if the purpose of the transfer(s) is to:

(a) enable a cheque to be provided to the customer using all or part of the property transferred by the customer; or

(b) enable the customer to receive property in exchange for all or part of a cheque produced by the customer to the reporting entity;

the following details:

(c) the name of the drawer;

(d) the name of the drawee; and

(e) the amount of the cheque;

- (8) a description of any account opened by the reporting entity that involves the threshold transaction including the account's identifying number;
- (9) the name and if applicable, identifying number of the reporting entity;
- (10) the name and if applicable, identifying number of the reporting entity at which the threshold transaction was conducted;
- (11) the address of the reporting entity at which the threshold transaction was conducted;

- (12) any identifying or transaction number assigned to the threshold transaction;
- (13) a description of the reliable and independent documentation and/or electronic data source(s) relied upon to verify the identity of the customer, if applicable;

Person conducting the threshold transaction is not the customer

- (14) if the person conducting the threshold transaction is not the customer:
 - (a) if the person conducting the threshold transaction is an individual:
 - (i) the person's full name;
 - (ii) the person's date of birth, if known;
 - (iii) the person's full address (not being a post box address), if known;
 - (iv) the person's telephone number, if known;
 - (v) a statement of whether the person is conducting the threshold transaction on behalf of another person who is the customer of the reporting entity;
 - (vi) a description of evidence of agency authorisation of the person, if any and known;
 - (vii) the person's occupation, business or principal activity, if known;
 - (b) if the person conducting the threshold transaction is acting on behalf of a non-individual entity:
 - (i) the full name of the entity and any business name(s) under which this entity operates, if known;
 - (ii) a description of the legal form of this entity and any business structure it is a part of, for the purposes of its main business activities, if known (for example: partnership, trust or company);
 - (iii) the full address of the entity's principal place of business (not being a post box address), if known;
 - (iv) the full address of the entity's registered office, if known;
 - (v) the ACN or ARBN and/or ABN of the entity, if known;

- (vi) the entity's telephone number, if known;
 - (vii) a statement of whether the person is conducting the threshold transaction as a representative of the entity acting on behalf of the customer of the reporting entity;
 - (viii) if the entity is a customer of the reporting entity – all the details specified in subparagraphs 19.3(2)(a) to (f);
 - (ix) a description of evidence of agency authorisation of the person, if any and known;
 - (x) the entity's business or principal activity, if known;
 - (xi) the full name of the individual purporting to act for or on behalf of this entity and the title, role or position held with the entity;
- (15) the reliable and independent documentation and/or reliable and independent electronic data used to verify the person referred to in subparagraph 19.3(14), if applicable.

~~19.4 In these Rules the terms 'ABN', 'ACN' and 'ARBN' have the same respective meanings as in the *Corporations Act 2001*.~~

19.4. A report under subsection 43(2) of the AML/CTF Act must contain the following details about the person completing the report:

- (1) Full name;**
- (2) Job title or position;**
- (3) Telephone number; and**
- (4) Email address.**

Reporting entities should note that in relation to activities they undertake to comply with the AML/CTF Act, they will have obligations under the Privacy Act 1988, including the requirement to comply with the National Privacy Principles, even if they would otherwise be exempt from the Privacy Act. For further information about these obligations, please go to <http://www.privacy.gov.au> or call 1300 363 992.