



## **Exemption 2 of 2013**

### **Section 248 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006***

I, John Lance Schmidt, AUSTRAC Chief Executive Officer, acting under paragraph 248(1)(a) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act)*, and subject to the conditions set out in this instrument, exempt the persons described below as 'Rio Tinto Companies' (each a **Rio Tinto Company**), from the following specified provisions of the AML/CTF Act:

- a) any item of table 1 in subsection 6(2) of the AML/CTF Act (each a **Designated Service**);

### **Rio Tinto Companies**

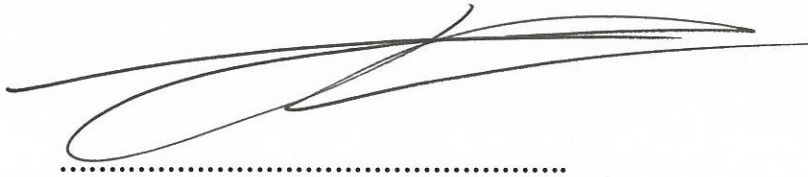
For the purposes of this exemption, the following companies are Rio Tinto Companies:

- a) Rio Tinto Limited ABN 96 004 458 404 of Level 33, 120 Collins Street, Melbourne, VIC 3000;
- b) Rio Tinto plc, company number 719885, registered in England, of 2 Eastbourne Terrace, London, W2 6LG, United Kingdom;
- c) each related body corporate within the meaning of the *Corporations Act 2001* of each of Rio Tinto Limited and Rio Tinto plc;
- d) each subsidiary within the meaning of the *United Kingdom Companies Act (2006 c.46)* of each of Rio Tinto Limited and Rio Tinto plc; and
- e) Queensland Alumina Limited ABN 98 009 725 044 of 'Plant Operations Building' Parsons Point, Gladstone, QLD 4680.

**Conditions specified pursuant to paragraph 248(2)(b) of the AML/CTF Act**

1. This exemption applies only if, and during any period that the following condition is satisfied:
  - a) the exemption only applies in respect of a Designated Service provided by a Rio Tinto Company to other Rio Tinto Companies or, in the case of a Designated Service under item 48 and 49 of table 1 in subsection 6(2) of the AML/CTF Act, provided to a lender where the borrower is a Rio Tinto Company.
2. If an event occurs that may affect a Rio Tinto Company's compliance with this exemption, and/or condition, the Rio Tinto Company must notify the AUSTRAC CEO or delegate:
  - a) within 14 days of the event occurring; or
  - b) within such other period as is authorised in writing by the AUSTRAC CEO or delegate.

otherwise, this exemption ceases to apply until the Rio Tinto company notifies the AUSTRAC CEO or delegate of the event.



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John Lance Schmidt  
CHIEF EXECUTIVE OFFICER

17 January 2013

### **Important Notice to person named in this instrument**

1. Under subsection 248(3) of the AML/CTF Act, a person granted an exemption subject to one or more conditions must comply with the conditions set out in the instrument. Failure to comply with subsection 248(3) is a civil penalty provision and may result in:
  - the revocation of the exemption; and
  - the AUSTRAC CEO applying to the Federal Court of Australia for a civil penalty order requiring the person to pay a pecuniary penalty in respect of the breach.
2. It is an offence under sections 136 and 137 of the AML/CTF Act to provide false or misleading information or documents. If any of the information submitted by the applicant or its representatives is found to be false or misleading, the exemption may be revoked, and action may be initiated against the applicant.
3. The person granted the exemption may request the AUSTRAC CEO at any time to revoke or vary the exemption.
4. Any request to vary this exemption must be submitted to the AUSTRAC CEO or approved delegate no later than 14 days before the date the change is requested to commence.