



Anti-Money Laundering and Counter-Terrorism Financing Act (Exemption— SG Fleet Group) Instrument 2020 (No. 10)

I, Jennifer Ermert, Acting National Manager, Legal and Policy Branch, and delegate of the AUSTRAC CEO, make the following exemption instrument.

Dated 9/9/20

A handwritten signature in black ink, appearing to read 'Jennifer Ermert', written in a cursive style.

Jennifer Ermert
Acting National Manager, Legal and Policy Branch

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1 Name

This instrument is the *Anti-Money Laundering and Counter-Terrorism Financing (Exemption—SG Fleet Group) Instrument 2020 (No.10)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Authority

This instrument is:

- (1) made under paragraph 248(1)(a) of the Act; and
- (2) subject to conditions as authorised under paragraph 248(2)(b) of the Act.

4 Definitions

Note: A number of expressions used in this instrument are defined in the definitions section of the AML/CTF Act, including the following:

- a. “designated service”.

In this instrument:

Act means the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*

Fleet management agreement means an agreement between SG Fleet Group and its customer, under which SG Fleet Group organise for the provision of fleet management services to a vehicle fleet

Select fleet management services means

- a. insurance service
- b. repairs and maintenance service where the customer has entered into a repair and maintenance agreement directly with a merchant other than SG Fleet Group
- c. third party financier funds disbursement service; or
- d. vehicle registration and renewals service.

SG Fleet Group means any of the following entities:

- a. SG Fleet Australia Pty Limited (ACN 15 003 429 356)
- b. nlc Pty Limited (ACN 57 052 442 645)
- c. SG Fleet UK Limited (foreign company number 06143809)

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- d. SG Fleet Solutions UK Limited (foreign company number 04110984)
 - e. SG Fleet NZ Limited (foreign company number 1920318)

Vehicle fleet means the motor vehicle fleet or other equipment agreed by SG Fleet Group and owned by the customer or that is in the customer's care, custody and control

5 Application

This instrument applies to SG Fleet Group in respect of the provision of designated services described in item 31 and item 32 of table 1 in subsection 6(2) of the Act.

6 Scope of exemption

SG Fleet Group is exempt from the following provisions of the Act:

- (1) Divisions 2 to 7 of Part 2 (other than section 39);
- (2) Divisions 2 to 6 of Part 3 (other than sections 42 and 44);
- (3) Parts 3A, 5, 6 and 7; and
- (4) Part 10 (other than section 118).

7 Conditions

This instrument is subject to the following conditions:

- (1) SG Fleet Group must notify the AUSTRAC CEO, in writing, within 14 days of any event that may affect its compliance with this instrument.
- (2) The exemption only applies to the provision by SG Fleet of select fleet management services under a fleet management agreement.

Important Notice to the 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 specified in the instrument. Failure to comply with subsection 248(3) is a civil penalty provision and may result in any or all of the following:

- the exemption ceasing to apply to the person during any period in which the person does not comply with the relevant condition/s;
- the exemption being revoked;
- 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. Under sections 136 and 137 of the AML/CTF Act, it is an offence 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 initiated against the applicant.

3. The person granted the exemption may request the AUSTRAC CEO to revoke or vary the exemption at any time.

4. Any request to vary this exemption must be submitted to the AUSTRAC CEO or an approved delegate no later than 90 days before the date the change is requested to commence.