



Anti-Money Laundering and Counter-Terrorism Financing (Exemption—Computershare Clearing Pty Ltd) Instrument 2022 (No. 20)

I, Jenny Harders, make the following instrument as a delegate of the AUSTRAC CEO.

Dated 11 October 2022

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

Jenny Harders
Acting National Manager, Legal and Enforcement
Australian Transaction Reports and Analysis Centre

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1 Name

This instrument is the *Anti-Money Laundering and Counter-Terrorism Financing (Exemption—Computershare Clearing Pty Ltd) Instrument 2022 (No. 20)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Cessation

This instrument ceases on 30 September 2027.

4 Authority

This instrument is:

- (1) made under section 248(1)(a) of the Act; and
- (2) subject to the conditions in item 8 of this instrument, as authorised under section 248(2)(b) of the Act.

5 Definitions

Note: A number of expressions used in this instrument are defined in section 5 of the Act, including the following:

- (a) ADI;
- (b) customer;
- (c) designated service.

In this instrument:

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

ASX means ASX Limited ACN 008 624 691 trading as the Australian Securities Exchange.

ASX Market Participant has the same meaning as in section 7 of the ASX Operating Rules.

Computershare Clearing means Computershare Clearing Pty Ltd ACN 063 826 228.

CIS means Computershare Investor Services Pty Ltd ACN 078 279 277

Dividend Reinvestment Plan means a plan which gives holders of securities the opportunity to accept securities of the same class as they hold in place of dividend payments (either partly or wholly).

Participating Holder means a holder of securities who participates in the Sponsored Dividend Reinvestment Plan.

Participating Issuer means an issuer of securities who participates in the Sponsored Dividend Reinvestment Plan.

Sponsored Dividend Reinvestment Plan means a dividend reinvestment plan provided by Computershare Clearing on behalf of a Participating Issuer where:

- (a) CIS provides Share Registry services to the Participating Issuer; and
- (b) the Participating Issuer is listed on the ASX; and
- (c) the Participating Issuer does not operate a dividend reinvestment plan; and
- (d) Participating Holders elect to receive securities in the Participating Issuer in place of receiving dividend payments from the Participating Issuer; and
- (e) CIS transfers to Computershare Clearing an amount equal to the entitlement to the dividend payment described at (d); and
- (f) Computershare Clearing arranges the on-market purchase of the securities described at (d), by an ASX Market Participant on behalf of the Participating Holders.

6 Application

This instrument applies to Computershare Clearing in relation to the provision of designated services covered by items 33, 46 or 54 of table 1 in section 6(2) of the Act.

7 Exempt provisions

Computershare Clearing is exempt from the following provisions of the Act:

- (1) sections 28–38, 41, and 47;
- (2) Parts 3A, 5, and 7; and
- (3) Part 10 other than section 118.

8 Conditions

This instrument is subject to the following conditions:

- (1) the designated service is provided as part of a Sponsored Dividend Reinvestment Plan.
- (2) the customer to whom the designated service is provided is a Participating Holder.
- (3) transfers of money between Computershare Clearing and the ASX Market Participant, must be by way of electronic funds transfer between accounts held with an ADI.
- (4) transfers of money between CIS and the Computershare Clearing must be by way of electronic funds transfer between accounts held with an ADI.
- (5) each Participating Holder may acquire securities through a Sponsored Dividend Reinvestment Plan for consideration totalling no more than \$30,000 per Participating Issuer in any consecutive 12-month period.
- (6) Computershare Clearing must, in writing, notify the AUSTRAC CEO within 14 days of any event that may affect its ability to comply with this instrument.

Important Notice to the person named in this instrument

1. Under section 248(3) of the 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 section 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. This exemption is specific to, or is based on an assessment of the:
 - information or documents provided by, or on behalf of, the person to AUSTRAC in support of the application made under section 248(1) of the Act; and
 - facts and circumstances relevant to the application, including the nature and type of business activities the person undertakes at the time of the application.
3. Under sections 136 and 137 of the Act, it is an offence to provide false or misleading information or documents to the AUSTRAC CEO. 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.
4. The person granted the exemption may request the AUSTRAC CEO to revoke or vary the exemption at any time.
5. Any request to vary or extend 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.
6. This exemption does not preclude the person from making communications or disclosures that are otherwise permitted by law.