



Anti-Money Laundering and Counter-Terrorism Financing Act (Exemption— Indigenous Business Australia) Instrument 2025 (No. 27)

I, Daniel Mossop, National Manager, Policy Rules and Guidance Branch of the Australian Transaction Reports and Analysis Centre (AUSTRAC), make the following exemption as a delegate of the AUSTRAC CEO.

Dated 28 October 2025

Daniel Mossop
National Manager, Policy Rules and Guidance Branch
AUSTRAC

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1 Name

This instrument is the *Anti-Money Laundering and Counter-Terrorism Financing (Exemption— Indigenous Business Australia) Instrument 2025 (No. 27)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Cessation

This instrument ceases to have effect 3 years after the day it is signed.

4 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.

5 Definitions

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

- (a) designated service
- (b) factoring
- (c) lease
- (d) loan.

In this instrument:

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

Business Solutions Program means loan, lease or factoring products offered by IBA to Aboriginal and Torres Strait Islander people for the purpose of starting and/or growing a business that supports income, employment and economic independence.

Housing Solutions Program means concessional home loans offered by IBA to Aboriginal and Torres Strait Islander people for the purpose of purchasing residential property in Australia.

IBA means any of the following entities:

- a. Indigenous Business Australia (ABN 25 192 932 833); and
- b. Indigenous Business Australia as The Trustee for the Performance Bond Fund (ABN 78 943 402 721).

6 Application

This instrument applies to IBA in respect of the provision of designated services described in items 6, 7, 8, 10 and 11 of table 1 in subsection 6(2) of the Act when providing the Housing Solutions Program or the Business Solutions Program.

7 Scope of exemption

IBA is exempt from the following provisions of the Act:

From the date of commencement to 30 March 2026

- (1) Divisions 2 to 5 of Part 3 (other than sections 42 and 44);
- (2) Part 5;
- (3) Part 7; and
- (4) Divisions 4 and 5 of Part 10.

From 31 March 2026

- (1) Part 1A;
- (2) Divisions 2 to 5 of Part 3 (other than sections 42 and 44);
- (3) Part 5; and
- (4) Division 5 of Part 10.

8 Conditions

This instrument is subject to the following conditions:

- (1) IBA must notify the AUSTRAC CEO, in writing, within 14 days of any event that may affect its compliance with this instrument.

Important Notice to the person named in this instrument

1. Under subsection 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 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 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 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.
5. This exemption does not preclude the person from making communications or disclosures that are otherwise permitted by law.