



Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instrument 2007 (No. 4)

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

I, NEIL J JENSEN, Chief Executive Officer, Australian Transaction Reports and Analysis Centre, make this Instrument under section 229 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

Dated 14 December 2007

[Signed]
NEIL J JENSEN
Chief Executive Officer
Australian Transaction Reports and Analysis Centre

1 Name of Instrument

This Instrument is the *Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instrument 2007 (No. 4)*.

2 Commencement

This Instrument commences as follows:

- (a) on 12 December 2007— Schedule 1;
- (b) on 12 December 2008— Schedule 2.

3 Amendment

Schedules 1 and 2 amend the *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)*.

Schedule 1 Amendment

1. Schedule 2, after subparagraph 7.3.2(2)

Omit "114(2)", substitute "112(2)".

Schedule 2 Amendment

1. After Chapter 14

Insert:

Schedule 3 Rules commencing on 12 December 2008

Chapter 15 Ongoing customer due diligence

- 15.1 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* (the AML/CTF Act) for paragraph 36(1)(b) of that Act. The requirements set out in these Rules do not apply in relation to a permanent establishment in a foreign country at or through which a reporting entity provides designated services.

KYC information

- 15.2 A reporting entity must put in place appropriate risk-based systems and controls to determine whether any further KYC information should be collected in respect of customers for ongoing customer due diligence purposes.
- 15.3 A reporting entity must put in place appropriate risk-based systems and controls to determine whether and in what circumstances KYC information should be updated or verified in respect of its customers for ongoing customer due diligence purposes.

Transaction monitoring program

- 15.4 A reporting entity must include a transaction monitoring program in Part A of its AML/CTF program.
- 15.5 The transaction monitoring program must include appropriate risk-based systems and controls to monitor the transactions of customers.
- 15.6 The transaction monitoring program must have the purpose of identifying, having regard to ML/TF risk, any transaction that appears to be suspicious within the terms of section 41 of the AML/CTF Act.
- 15.7 The transaction monitoring program should have regard to complex, unusual large transactions and unusual patterns of transactions, which have no apparent economic or visible lawful purpose.

Enhanced customer due diligence program

- 15.8 A reporting entity must include an enhanced customer due diligence program in Part A of its AML/CTF program.
- 15.9 The reporting entity must apply the enhanced customer due diligence program when:
- (1) it determines under its risk-based systems and controls that the ML/TF risk is high; or
 - (2) a suspicion has arisen for the purposes of section 41 of the AML/CTF Act.

15.10 The enhanced customer due diligence program must include appropriate risk-based systems and controls so that, in cases where enhanced customer due diligence is applied, a reporting entity gives consideration to whether any one or more of the following applies:

- (1) further information ought to be sought from the customer or from third party sources in order to:
 - (a) clarify or update the customer's KYC information;
 - (b) obtain any further KYC information;
 - (c) clarify the nature of the customer's ongoing business with the reporting entity;
 - (d) consider any suspicion that may have arisen for the purposes of section 41 of the AML/CTF Act;
- (2) more detailed analysis should be undertaken in respect of the customer's KYC information;
- (3) KYC information ought to be verified or re-verified in accordance with the customer identification program;
- (4) more detailed analysis and monitoring should be undertaken in respect of the customer's transactions – both past and future;
- (5) a suspicious matter report ought to be lodged in accordance with section 41 of the AML/CTF Act.

Terms

15.11 In these Rules, the terms 'AML/CTF program', 'KYC information' and 'ML/TF risk' have the same respective meanings as in Chapter 1 in *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)*.

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 16 Reportable details for international funds transfer instructions (items 1 and 2 in section 46)

16.1 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

- 16.2 A report about an international funds transfer instruction (the instruction), within the meaning of item 1 of the table in section 46 of the AML/CTF Act, must contain:
- (1) for an instruction within the meaning of paragraph 70(c) of the AML/CTF Act – the complete payer information under section 71 of the AML/CTF Act;
 - (2) for an instruction within the meaning of paragraphs 70(a) or 70(b) of the AML/CTF Act – the tracing information under section 72 of the AML/CTF Act;
 - (3) the name or identity of the ordering institution;
 - (4) where applicable, the name or identity of any branch or department of the ordering institution which the payer requested to transmit the instruction;
 - (5) the name or identity of the institution (the sender) transmitting the instruction to the beneficiary institution, if different from subparagraph 16.2(3);
 - (6) where applicable, the name or identity of the sender's branch or department which transmitted the instruction, if different from subparagraph 16.2(4);
 - (7) the date on which the sender transmits, or is to transmit, the instruction to the beneficiary institution;
 - (8) the name or identity of the beneficiary institution;

-
- (9) the name or identity of the branch or department of the beneficiary institution at which the funds will be made available to the payee;
 - (10) the name of the payee;
 - (11) one or more of the following details:
 - (a) the number of any account held by the payee with the beneficiary institution through which the transferred money is to be made available to the payee;
 - (b) the payee's full business or residential address (not being a post box address);
 - (c) where applicable, the type and number of identification relating to the payee;
 - (12) the following details as appear in the instruction:
 - (a) any information or directions provided by the payer to the payee in relation to the instruction;
 - (b) the name or identity of any interposed institution in the funds transfer chain;
 - (c) the name or identity and account number of any institution through which the beneficiary institution will be reimbursed;
 - (d) any information or directions provided by the ordering institution or interposed institution to another institution in the funds transfer chain under subsection 64(2) of the AML/CTF Act;
 - (e) any other details relating to the instruction;
 - (13) the amount referred to in the instruction;
 - (14) the currency of the amount referred to in the instruction; and
 - (15) the date on which the transferred money becomes available to the payee.

Instructions transmitted into Australia

16.3 A report about an international funds transfer instruction (the instruction), within the meaning of item 2 of the table in section 46 of the AML/CTF Act, must contain:

- (1) the name of the payer;
- (2) the name or identity of the institution (the sender) transmitting the instruction to the beneficiary institution;
- (3) the following details as appear in the instruction:
 - (a) for an instruction within the meaning of paragraph 70(c) of the AML/CTF Act:
 - (i) one of the following:
 - (A) the payer's full business or residential address (not being a post box address);
 - (B) a unique identification number given to the payer by the Commonwealth or an authority of the Commonwealth (for example, an Australian Business Number or an Australian Company Number);
 - (C) a unique identification number given to the payer by the government of a foreign country;
 - (D) the identification number given to the payer by the ordering institution;
 - (E) if the payer is an individual—the payer's date of birth, the country of the payer's birth and the town, city or locality of the payer's birth;
 - (ii) if the money is, or is to be, transferred from a single account held by the payer with the ordering institution in Australia—the account number for the account;
 - (iii) if subparagraph 16.3(3)(a)(ii) does not apply—either:

-
- (A) a unique reference number for the transfer instruction; or
 - (B) if the money is, or is to be, transferred from a single account held by the payer with the ordering institution—the account number for the account;
- (b) for an instruction within the meaning of paragraph 70(a) or 70(b) of the AML/CTF Act – the tracing information under section 72 of the AML/CTF Act;
 - (c) the name or identity of the ordering institution, if different from subparagraph 16.3(2);
 - (d) where applicable, the name or identity of any branch or department of the ordering institution which the payer requested to transmit the instruction, if different from subparagraph 16.3(3)(e);
 - (e) where applicable, the name or identity of the sender’s branch or department which transmitted the instruction;
 - (f) the identification code assigned to the instruction by the sender;
 - (g) the name or identity of the beneficiary institution;
 - (h) the name or identity of any branch or department of the beneficiary institution at which the funds will be made available to the payee;
 - (i) the date on which the beneficiary institution received the instruction;
 - (j) the name of the payee;
 - (k) the payee’s full business or residential address (not being a post box address);
 - (l) the number of any account held by the payee with the beneficiary institution through which the transferred money is to be made available to the payee;

-
- (m) the name or identity of any interposed institution in the funds transfer chain;
 - (n) the name or identity and account number of any institution through which the beneficiary institution will be reimbursed;
 - (o) any information or directions provided by the payer to the payee in relation to the instruction;
 - (p) any information or directions provided by the ordering institution or interposed institution to another institution in the funds transfer chain under subsection 64(2) of the AML/CTF Act;
 - (q) any other details relating to the instruction;
- (4) the amount referred to in the instruction;
 - (5) the currency of the amount referred to in the instruction; and
 - (6) the date on which the transferred money becomes available to the payee.

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

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

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

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 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 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;
- (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;
- (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.

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.