



Anti-Money Laundering and Counter-Terrorism Financing Rules (Online Gambling Services) Amendment Instrument 2023

I, Peter Soros, Acting Chief Executive Officer, Australian Transaction Reports and Analysis Centre, make the following legislative instrument.

Dated 25 September 2023

[signed]

Peter Soros

Acting Chief Executive Officer

Australian Transaction Reports and Analysis Centre

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1 Name

This instrument is the *Anti-Money Laundering and Counter-Terrorism Financing Rules (Online Gambling Services) Amendment Instrument 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after registration.	
2. Schedule 1	29 September 2023.	
3. Schedule 2	29 September 2023.	
4. Schedule 3	29 September 2024.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 229 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)

1 Chapter 82

After Chapter 81: *insert:*

CHAPTER 82 Applicable customer identification procedure—special circumstances—online gambling account opening

82.1 These Anti-Money Laundering and Counter-Terrorism Financing Rules are made under section 229 for the purposes of paragraphs 33(a) and 33(b) and subparagraph 34(1)(d)(i) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

Conditions for carrying out the applicable customer identification procedure after commencing to open an online gambling account

82.2 Online gambling services, subject to the conditions specified in paragraph 82.3, are specified for the purposes of paragraph 33(a) of the Act.

82.3 A reporting entity that commences to provide to a customer a designated service described in item 11 of table 3 in subsection 6(4) of the Act, may carry out the applicable customer identification procedure (**ACIP**) in respect of the customer (including any beneficial owner of the customer or any person purporting to act on behalf of the customer), after commencing to provide the designated service if it:

- (1) has determined on reasonable grounds that doing so is essential to avoid interrupting the ordinary course of its business; and
- (2) has determined on reasonable grounds that any additional ML/TF risk arising from carrying out the ACIP after commencing to provide the designated service specified in paragraph 82.3 is low; and
- (3) has implemented appropriate risk-based systems and controls to effectively manage the associated ML/TF risks; and
- (4) has systems and controls in place to ensure it carries out the ACIP as soon as practicable; and
- (5) does not commence to provide to the customer another designated service.

82.4 For the purposes of subparagraph 34(1)(d)(i) of the Act, the relevant period ends 72 hours after the reporting entity commences to provide the designated service.

Schedule 2—Repeal

Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)

1 Part 10.4

Repeal the Part.

Schedule 3—Repeal

Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)

1 Chapter 82

Repeal the Chapter.