

Reprint
as at 11 August 2017



**Anti-Money Laundering and Countering Financing of
Terrorism (Prescribed Transactions Reporting)
Regulations 2016**
(LI 2016/258)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 7th day of November 2016

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 48A, 48B, 153, and 154 of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and section 56(1)(e) and (2) of the Financial Transactions Reporting Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) in relation to regulations made under section 154 of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009, on the recommendation of the Minister (as defined by section 5 of that Act) made in accordance with section 154(2) and (3) of that Act.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Justice.

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Regulations

1 Title

These regulations are the Anti-Money Laundering and Countering Financing of Terrorism (Prescribed Transactions Reporting) Regulations 2016.

2 Commencement

These regulations come into force on 1 November 2017.

3 Revocation

These regulations are revoked on the close of 31 October 2022.

4 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Anti-Money Laundering and Countering Financing of Terrorism Act 2009

as available, in relation to any information to be disclosed by a reporting entity by these regulations, means any information in the possession of the reporting entity that is reasonably accessible from its records

prescribed transaction has the same meaning as in section 5 of the Act

section 48A(1) report means a report of a prescribed transaction made by a reporting entity under section 48A(1) of the Act.

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

6 Prescribed transactions

For the purposes of section 48A of the Act, the following are applicable threshold values for a prescribed transaction:

- (a) the applicable threshold of a wire transfer is \$1,000;
- (b) the applicable threshold for a domestic cash transaction is \$10,000.

7 Information to be included in section 48A(1) report

The information to be included in a section 48A(1) report is the information set out in Schedule 2.

**Schedule 1
Transitional, savings, and related provisions**

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**Part 1
Provisions relating to these regulations as made**

There are no transitional, savings, or related provisions relating to these regulations as made.

Schedule 2

Information to be included in section 48A(1) report

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Schedule 2: replaced, on 11 August 2017, by section 70(2) of the Anti-Money Laundering and Countering Financing of Terrorism Amendment Act 2017 (2017 No 35).

Part 1

Details to be contained in international wire transfer report

1 General

For the reporting entity,—

- (a) the name of the reporting entity:
- (b) the business address of the reporting entity:
- (c) the name of the reporting entity's AML/CFT supervisor.

2 Transaction details

For each transaction,—

- (a) the branch or location where the transaction took place in New Zealand (if relevant):
- (b) the country where the transaction took place (if not New Zealand):
- (c) the date and time of transaction:
- (d) the mode of the transaction (ie, wire transfer):
- (e) the type of funds (eg, cash deposit, deposit from electronic funds):
- (f) the amount in New Zealand dollars:
- (g) the amount in foreign currency (if applicable):
- (h) the exchange rate (if applicable):
- (i) the unique transaction reference number:
As available
- (j) the branch or city or region where the transaction took place if not in New Zealand:
- (k) the Internet Protocol address of the originator.

3 Transaction details in relation to originator or beneficiary

For each transaction by international wire transfer,—

- (a) the information to be provided where the reporting entity's customer is the originator of the transaction (and not the information in paragraph (b)) is as follows:
 - (i) the name of the beneficiary of the international wire transfer:

- (ii) the account number for the beneficiary of the international wire transfer:
 - (iii) the country where the beneficiary account is held or the location of the beneficiary (city or region, if available):
 - (iv) any other details of the location of the beneficiary account or beneficiary, as available:
 - (v) any other identifying information regarding the beneficiary of the international wire transfer, as available:
- (b) the information to be provided where the reporting entity's customer is the beneficiary of the international wire transfer (and not the information in paragraph (a)) is as follows:
- (i) the name of the originator of the international wire transfer:
 - (ii) the account number for the originator of the international wire transfer:
 - (iii) the country where the originator account is held or the originator is:
 - (iv) any other details of the location of the originator account or the originator, as available:
As available
 - (v) any other identifying information regarding the originator of the international wire transfer.

4 Customer details

- (1) For each customer party to the transaction,—
- (a) their name:
 - (b) either their account number or unique customer identifier or both (if applicable):
 - (c) their date of birth (if applicable):
 - (d) their identity document number:
As available
 - (e) the type of account or facility:
 - (f) the physical address of each customer party to the transaction or (if the customer party is a company) the address of its registered office:
 - (g) the phone number of each customer party to the transaction:
 - (h) any other identifying information regarding each customer party to the transaction.
- (2) For each person acting on behalf of a customer,—

As available

- (a) the name of the person:
- (b) their account number or unique customer identifier:
- (c) their date of birth (if applicable):
- (d) their identity document number:
- (e) if the customer is not a natural person, identifying information that allows the transaction to be traced back to the person originating the transaction on behalf of the customer.

Part 2

Details to be contained in domestic physical cash transaction report

5 General

For the reporting entity,—

- (a) the name of the reporting entity:
- (b) the business address of the reporting entity:
- (c) the name of the reporting entity's AML/CFT supervisor.

6 Transaction details

For each transaction,—

- (a) the branch or location and where the transaction took place:
- (b) the date and time of transaction:
- (c) the mode of transaction (eg, in person, ATM, or other relevant system or channel):
- (d) the type of funds (eg, cash):
- (e) the amount in New Zealand dollars:
- (f) the amount in foreign currency (if applicable):
- (g) the exchange rate (if applicable):
- (h) the unique transaction reference number.

7 Customer details

(1) For each customer party to the transaction,—

- (a) their name:
- (b) either their account number or unique customer identifier or both (if applicable):
- (c) their date of birth (if applicable):
- (d) their identity document number:

As available

- (e) the type of account or facility:
 - (f) the physical address of each customer party to the transaction or (if the customer party is a company) the address of its registered office:
 - (g) the phone number of each customer party to the transaction:
 - (h) any other identifying information regarding each customer party to the transaction.
- (2) For each person acting on behalf of a customer,—
- (a) the name of the person:
As available
 - (b) their account number or unique customer identifier:
 - (c) their date of birth (if applicable):
 - (d) their identity document number:
 - (e) if the customer is not a natural person, identifying information that allows the transaction to be traced back to the person originating the transaction on behalf of the customer.

Michael Webster,
Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Anti-Money Laundering and Countering Financing of Terrorism (Prescribed Transactions Reporting) Regulations 2016 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Anti-Money Laundering and Countering Financing of Terrorism Amendment Act 2017 (2017 No 35): section 70