

AML / CFT

Anti-money laundering and countering financing of terrorism

User Guide: AML/CFT Annual Report

April 2014



INTERNAL AFFAIRS

Te Tari Taiwhenua

The annual report is a requirement under section 60 of New Zealand's [Anti-Money Laundering and Countering Financing of Terrorism Act 2009](#) ('the Act'). The annual report applies to activities that are covered by the Act.

One form must be completed for each reporting entity, except as noted in **Part Two** (Questions 4-5) for reporting entities that are eligible members of a DBG (Designated Business Group).

The information required is for the **12 month period from 1 July to 30 June** in each year (reporting period), (or alternatively, as at the end of the reporting entity's most recent full financial year - if this has been specified in a particular question).

You may submit your annual report any time after 1 July, but no later than 30 August following the reporting period. If, for whatever reason, you are unable to complete your annual report, please contact us in advance of the 30 August deadline at aml@fma.govt.nz or telephone 0800 434 567. Information on how to submit your annual report to the Financial Markets Authority will be provided on our website nearer the time. We recommend you check the [website](#) for updates from time to time.

Details are only required on revenue associated with products or services that are covered by the Act during the reporting period. If you are unsure: whether your activities should be reported; whether the Act applies to your business; or who your organisation's AML/CFT supervisor is, please contact us.

This user guide is provided for information only and cannot be relied on as evidence of complying with the requirements of the Act. It does not constitute legal advice and cannot be relied on as such. After reading this guide, if you do not understand any of your obligations you should contact your AML/CFT supervisor or seek professional advice.

Please ensure the information provided in your report has been checked for accuracy. It is an offence to knowingly supply information that is false or misleading in any material respect without reasonable excuse.

Before you begin:

Please complete all relevant sections.

Please avoid including aggregated information, such as consolidated data for a group of reporting entities. Each reporting entity's unique data is required (except to the extent that information for a DBG may be provided as indicated in the Note in Part 2).

User Guide: AML/CFT annual report

The information and data required is for the **12 month period from 1 July to 30 June in each year (reporting period)**, or alternatively, as at the end of the reporting entity's most recent full financial year - if this has been specified in a particular question.

Part 1: Answer all questions in this Part.

Guidance and definitions for Part 1 (questions 1–3)	
1.1 <i>Period of report</i> <i>Period that this report covers: [specify]</i> <i>Note: This is the period referred to as 'during the year' or 'at the end of the year' by this form</i>	<i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i>

Guidance and definitions for Part 1 (questions 1–3)

2.1

Entity registration details:

The reporting entity's legal name:

Registered or company incorporation number (or equivalent):

FSPR number (refer to New Zealand's Financial Service Providers Register):

Registered charity number (if applicable):

Trading name(s):

Please contact your AML/CFT Supervisor if you require further guidance on this question.

Guidance and definitions for Part 1 (questions 1–3)

<p>2.2</p> <p><i>Physical address</i></p> <p><i>Street name and number:</i> <i>Suburb/town:</i> <i>City:</i> <i>Postcode:</i></p>	<p>If you have more than one physical address, provide details of the main address from where the activities covered by the Act are conducted.</p>
<p>2.3</p> <p><i>Postal address (if different from physical address)</i></p> <p><i>Street name and number or PO Box:</i> <i>Suburb/town:</i> <i>City:</i> <i>Postcode:</i></p>	<p>If you have more than one postal address, provide details of the address where we can contact your AML/CFT compliance officer.</p>

Guidance and definitions for Part 1 (questions 1–3)

<p>2.4</p> <p><i>Other contact details</i></p> <p><i>AML/CFT compliance officer (full name):</i></p> <p><i>AML/CFT contact telephone number (if available):</i></p> <p><i>AML/CFT email address (if available):</i></p> <p><i>Website (if available):</i></p>	<p>'AML / CFT compliance officer' means the person designated as AML / CFT compliance officer under section 56 of the Act.</p> <p>Link to Section 56 of the Act</p>
<p>3.1</p> <p><i>Is this reporting entity a branch or a subsidiary?</i></p> <p><i>Yes/No</i></p> <p><i>If yes, specify:</i></p> <p><i>[branch/subsidiary]</i></p>	<p>In this question, 'branch' means the New Zealand place of business of an overseas company.</p> <p>'Subsidiary' means a company that is controlled by another company, as defined in section 5 of the Companies Act 1993.</p>

Guidance and definitions for Part 1 (questions 1–3)	
<p>3.2</p> <p><i>In what country is your largest owner based?</i> [country]</p>	<p>'Largest owner' means the person or entity that either directly or indirectly owns the largest proportion of the reporting entity.</p>
<p>3.3</p> <p><i>Number of physical branch locations in New Zealand (exclude agent's office locations. If none, record nil): [number/nil]</i></p>	<p>This question applies whether or not the reporting entity is a 'branch' itself. Apart from the main physical address of the reporting entity referred to in question 2.2, include the number of additional physical places in New Zealand from which the reporting entity conducts relevant business. Do not include any physical branches that don't conduct any relevant activity. A relevant activity is an activity that attracts any obligations under the Act or regulations.</p>
<p>3.4</p> <p><i>Number of New Zealand subsidiaries (or nil): [number/nil]</i></p>	<p>'Subsidiary' means a company that is controlled by the reporting entity, as defined in section 5 of the Companies Act 1993. Only include subsidiaries conducting a relevant activity.</p>
<p>3.5</p> <p><i>Number of branches outside New Zealand (or nil): [number/nil]</i></p>	<p>In this question, 'branch' means an overseas place of business of the reporting entity. Only include overseas branches conducting a relevant activity.</p>

Guidance and definitions for Part 1 (questions 1–3)

3.6

Number of subsidiaries outside New Zealand (or nil): [number/nil]

'Subsidiary' means a company that is controlled by another company, as defined in section 5 of the Companies Act 1993.

Part 2: Answer all relevant questions in this Part.

Guidance and definitions for Part 2 (questions 4-5)

Answer all relevant questions.

Note: A member of a designated business group (DBG) can rely on another member to carry out some obligations on their behalf, as set out in section 32 of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (the AML/CFT Act 2009). These include risk assessments and parts of an AML/CFT Programme. If you are a member of a DBG you may allow another member to answer this Part on your behalf. However, please note that you are responsible for the information provided. If you are eligible, use the Notes in Part 6 of this form to state this, together with the legal name and registered number of the member answering this Part on your behalf. Then leave this Part blank and go to Part 3. You are required to answer all other parts of this form.

Questions 4 and 5

The majority of questions relate to the review and audit of your AML/CFT risk assessment and AML/CFT programme required under section 59 of the Act.

Guidance and definitions for Part 2 (questions 4-5)

<p>4.1</p> <p><i>Does your risk assessment meet the requirements of section 58 of the AML/CFT Act 2009?</i></p> <p><i>Meets all/Meets some/Meets none*</i></p> <p><i>*Select one.</i></p>	<p>Link to Section 58 of the Act</p>
<p>4.2</p> <p><i>If your risk assessment does not meet all of the requirements of section 58 of the AML/CFT Act 2009, please list all subsections that it is not fully compliant with (eg, sections 58(1), 58(2)(a)–(h), 58(3)(a)–(c)).[list]</i></p>	<p><i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i></p>
<p>4.3</p> <p><i>Is a procedure in place for an independent audit of the risk assessment every 2 years?</i></p> <p><i>[Yes/No]</i></p>	<p><i>'Audit'</i> means a systematic check of your AML/CFT risk assessment by an independent and suitably qualified person resulting in a written report.</p> <p>Link to Section 59 of the Act</p>

Guidance and definitions for Part 2 (questions 4-5)	
<p>4.4</p> <p><i>When was the most recent review of the risk assessment completed? [date]</i></p>	<p>'Review' means an internal check of your AML/CFT risk assessment to ensure it is current, any weaknesses are identified and changes are made as necessary.</p> <p>If you have not reviewed your AML/CFT risk assessment since it was initially produced, insert the date it was first produced.</p>
<p>Questions 4.5, 4.6 and 4.7</p> <p><i>4.5 When was the most recent audit of the risk assessment completed? [date] [Yes/No]</i></p> <p><i>4.6 Did an audit of your risk assessment (conducted since your last annual report) highlight any deficiencies? [Yes/No]</i></p> <p><i>4.7 Have you made the changes identified in the most recent audit as being necessary? [Not applicable/Yes, complete/Not yet complete]</i></p>	<p>Select '<i>not applicable</i>' if you have not yet conducted an independent audit of your AML/CFT risk assessment and AML/CFT programme.</p>
<p>4.8</p> <p><i>Before making a product, service, or channel available, is there a process to assess the AML/CFT risk</i></p>	<p>This question refers to any new product, service or delivery channel for products or services provided by you to your customers.</p> <p>Select "No" if you do not have any processes in place because you have not and do not intend to change your</p>

Guidance and definitions for Part 2 (questions 4-5)	
<p><i>(e.g., new or developing technologies, products that favour anonymity)?</i></p> <p><i>[Yes/No]</i></p>	<p>products, services or delivery channels.</p>
<p>5.1</p> <p><i>Does your AML/CFT programme meet the requirements of section 57 of the AML/CFT Act 2009?</i></p> <p><i>Meets all/Meets some/Meets none*</i></p> <p><i>*Select one</i></p>	<p>Link to Section 57 of the Act</p>
<p>5.2</p> <p><i>If your AML/CFT programme does not meet all the requirements of section 57 of the AML/CFT Act 2009, please list all paragraphs that it is not fully compliant with. [list relevant paragraphs from section 57(a) to (l)]</i></p>	<p><i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i></p>
<p>5.3</p> <p><i>Is a procedure in place for an</i></p>	<p><i>'Audit'</i> means a systematic check of your AML/CFT programme by an independent and suitably qualified person resulting in a written report.</p>

Guidance and definitions for Part 2 (questions 4-5)	
<i>independent audit of the AML/CFT programme every 2 years? [Yes/No]</i>	Link to Section 59 of the Act
Question 5.4 <i>When was the most recent review of the AML/CFT programme completed? [date]</i>	‘Review’ means an internal check of your AML/CFT programme to ensure it is current, any weaknesses are identified and changes are made as necessary. If you have not reviewed your AML/CFT programme since it was initially produced, insert the date it was first produced.
Question 5.5, 5.6 and 5.7 <i>5.5 When was the most recent audit of the AML/CFT programme completed? [date]</i> <i>5.6 Did an audit of your AML/CFT programme (conducted since your last annual report) highlight any deficiencies? [Yes/No]</i> <i>5.7 Have you made the changes identified as being necessary in the latest audit?</i> <i>[Not applicable/Yes, complete/Not yet complete]</i>	Select ‘not applicable’ if you have not yet conducted an independent audit of your AML/CFT risk assessment and AML/CFT programme.

Guidance and definitions for Part 2 (questions 4-5)

5.8

Do you have procedures to identify and verify the identity of—

(a) a new customer (including the customer's beneficial owners or any person acting on behalf of a customer)?

*Yes/No**

**Select one.*

(b) a person seeking to conduct an occasional transaction through your reporting entity?

*Yes/No**

**Select one.*

(c) an existing customer, according to the level of risk involved, if there has been a material change in the nature or purpose of the business relationship and your reporting entity considers that it has insufficient information about the

Please contact your AML/CFT Supervisor if you require further guidance on this question.

Guidance and definitions for Part 2 (questions 4-5)	
<p><i>customer?</i></p> <p><i>Yes/No*</i></p> <p><i>*Select one.</i></p>	
<p>5.9</p> <p><i>Do you have exception handling procedures for issues related to customer due diligence (CDD) (e.g., clause 4 of the Identity Verification Code of Practice 2011)? [Yes/No]</i></p>	<p>Exception handling procedures are the systems or processes you have in your AML/CFT programme for dealing with situations where a customer cannot provide the required identification (for example, a process you use when a new customer has no standard forms of identification).</p>
<p>5.10</p> <p><i>Outside a DBG, do you outsource any CDD requirements to third parties (as set out in sections 32 to 34 of the AML/CFT Act 2009)?</i></p> <p><i>[Yes/No]</i></p>	<p>This includes any external person or entity completing customer due diligence as a reporting entity or similar in another country in accordance with section 33 or as an agent for your business under section 34 of the Act. Do not include any member of your DBG that conducts your CDD under section 32.</p>
<p>5.11</p> <p><i>Are your reporting entity's AML/CFT transaction monitoring processes best described as electronic, manual, or a</i></p>	<p><i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i></p>

Guidance and definitions for Part 2 (questions 4-5)

combination of both?

*Electronic/Manual/Electronic and Manual**

**Select one.*

Part 3: Answer all questions in this Part.

Guidance and definitions for Part 3 (questions 6-8)

6 – Products and Services

Definitions for Question 6.1

Please note that ‘transaction’, as defined below, is broader than the definition of ‘occasional transaction’.

‘Transaction’ has the meaning given to it by section 5 of the Act;

transaction—

(a) means any deposit, withdrawal, exchange, or transfer of funds (in any denominated currency), whether—

(i) in cash; or

(ii) by cheque, payment order, or other instrument; or

(iii) by electronic or other non-physical means

[Link to Section 5 of the Act](#)

6.1

This section requests annual data - please use your reporting entity’s own financial year end period and provide an estimate which includes all transactions during your most recent full financial year. Include all types of settlement or payment or transfer of value,

Guidance and definitions for Part 3 (questions 6-8)

Estimate the value and number of all transactions settled by your reporting entity during the year. Add the number of receipts and payments together, record the total number, and repeat for value—

Gross number of transactions: [number]

Gross value of transactions (NZD): \$[amount]

including data from all domestic (New Zealand) and international payment or messaging systems and/or cash receipts and payments.

Add receipts and payments together to arrive at the total. This is the gross value of transactions for your reporting entity. Please do **not** provide the net value of transactions (receipts minus payments).

6.2:

If your reporting entity offers any of the products and services listed below, tick Yes AND provide an estimate of the percentage (%) of your annual revenue that these products and services represented during your most recent full financial year:

For each product or service that you offer, provide an estimate of the percentage (%) of revenue this represents of your reporting entity's total revenue (from relevant activities covered by the Act) during the most recent full financial year. Include fees or other revenue from any transaction that is covered by the Act but exclude fees or other revenue from services not covered by the Act. You should retain sufficient supporting evidence to justify your estimates.

Where revenue could fall under more than one heading, allocate it to the most appropriate heading. Do not double-count any revenue.

Your total should add to 100%.

Guidance and definitions for Part 3 (questions 6-8)

Definitions for Question 6.2
Products and Services

In parts 1 to 8 of this question, '*Domestic*' means that both (or all) parties to the relevant transactions are in New Zealand, or in relation to a '*Domestic wire transfer*' means that the ordering institution, the intermediary institution and the beneficiary institution are all in New Zealand.

In parts 9 to 15 of this question, '*International*' refers to any transaction that is not Domestic.

<u>Domestic</u>		
1	Domestic account and deposit taking services	<p>Include fees or other revenue associated with the provision of accounts for transactions (banks and non-banks) including:</p> <ul style="list-style-type: none"> • term deposits • any account with debit cards or cheque facilities allowing the account holder to make frequent day-to-day transactions via EFTPOS, ATMs, internet or telephone banking, or similar • domestic transaction banking
2	Domestic lending (other than residential mortgages and motor vehicle finance)	Include fees or other revenue associated with personal and commercial lending products.
3	Residential mortgage lending	Include fees or other revenue associated with residential mortgage lending.
4	Motor vehicle finance	Include fees or other revenue associated with private motor vehicle finance. (Exclude fleet finance. Refer to Finance and Leasing below).
5	Debt instrument/bonds	Include fees or other revenue associated with bonds and other debt securities (e.g. RMBS, secure debenture stock, covered bonds, sub-ordinated notes, preference securities).

Guidance and definitions for Part 3 (questions 6-8)

	6	Finance and Leasing	<p>Include fees or other revenue associated with commercial loans including asset and equipment finance, leasing, acquisition, re-financing for domestic commercial property, moveable assets (excluding private motor vehicles), contracts or projects related to infrastructure and energy.</p> <p>Do not include financial leasing arrangements in relation to consumer products, e.g.</p> <ul style="list-style-type: none"> •goods or services of a kind ordinarily acquired for personal, domestic, or household use or consumption; or •any arrangement primarily for personal, domestic, or household purposes.
	7	Government and Specialist Finance and leasing	<p>Include fees or other revenue associated with finance, leasing, acquisition, re-financing for: Government-related contracts, international property, moveable assets (excluding private motor vehicles), or contracts/projects specifically related to infrastructure and energy. Include arrangements associated with the funding of assets or related tax arrangements.</p> <p>Do not include financial leasing arrangements in relation to consumer products, e.g.</p> <ul style="list-style-type: none"> •goods or services of a kind ordinarily acquired for personal, domestic, or household use or consumption; or •any arrangement primarily for personal, domestic, or household purposes.
	8	Domestic Wire Transfer/Electronic Funds Transfer Services	<p>Include fees or other revenue associated with all Domestic Wire Transfer/Electronic Funds Transfer Services on behalf of customers.</p> <p>Exclude International Wire Transfer/Electronic Funds Transfer Services (refer to questions below).</p>

Guidance and definitions for Part 3 (questions 6-8)

<u>International</u>		
9	International Wire Transfer/Electronic Funds Transfer Services	<p>Include fees or other revenue associated with the following:</p> <ul style="list-style-type: none"> • All International Wire Transfer/Electronic Funds Transfer Services on behalf of customers that are either incoming to New Zealand or outgoing from New Zealand; • All value transfers either originating from or destined for an overseas account/credit card or any other method that is located, issued or originates from outside New Zealand where the transaction is conducted on behalf of a New Zealand customer/account holder; • Cross-border transaction banking and private banking for international customers. <p>Exclude international mobile telephone transfer services. Exclude correspondent banking. Exclude casino electronic money transfer services (see items 51 to 54 below).</p>
10	International mobile telephone transfer services	<p>Include fees or other revenue associated with international person-to-person transfers via a mobile telephone and international value transfers to or from an account, via a mobile telephone, whether or not they are ultimately made to an account/facility at a financial institution.</p>
11	Forex trading and multi-currency and foreign currency accounts	<p>Include fees or other revenue associated with multi-denomination accounts (such as a bank account holding balances in various different currencies).</p>

Guidance and definitions for Part 3 (questions 6-8)

	12	Foreign currency/money exchange services	Include fees or other revenue associated with foreign exchange and/or over-the-counter money exchange services including via bureaux de change. Include occasional transactions and services available to non-customers. Exclude foreign currency exchange within casinos (see items 55 and 56 below).
	13	Issuing travellers cheques and bearer negotiable instruments	Include fees or other revenue associated with issuing Travellers Cheques and Bearer Negotiable Instruments (BNI) <i>'Bearer negotiable instruments'</i> means— (a) a bill of exchange; or (b) a cheque; or (c) a promissory note; or (d) a bearer bond; or (e) a traveller's cheque; or (f) a money order, postal order, or similar order; or (g) any other instrument prescribed by regulations.
	14	Cashing travellers cheques and bearer negotiable instruments	Include fees or other revenue associated with exchanging Travellers Cheques and Bearer Negotiable Instruments for cash.
	15	Correspondent banking relationships	Include fees or other revenue associated with correspondent banking relationships. Link to Section 29 of the Act
	16	Trade finance and related bonds/guarantees, forfeiting, and export/import finance	Include fees or other revenue associated with finance related to international trade, including: <ul style="list-style-type: none"> • trade-related performance guarantees or performance bonds; • forfeiting; • structured commodity finance and export/agent finance; • related services.

Guidance and definitions for Part 3 (questions 6-8)

Trust and Company Service Providers (TCSPs)		
17	Company formation	Include fees or other revenue associated with the formation of companies, limited partnerships or other legal arrangements such as a Private Investment Vehicle. Include revenue associated with setting up un-incorporated/un-registered legal entities, for example partnerships.
18	Trust formation	Include fees or other revenue associated with the formation of trusts and similar arrangements such as a bare trust.
19	Provider of office services (including registered address, virtual office, serviced offices, phone/mail forwarding)	Include fees or other revenue associated with providing a registered business address, virtual office(s), serviced office(s), phone/mail forwarding.
20	Nominee director/company secretary/partner services	Include fees or other revenue associated with acting (or arranging for another person to act) as a nominee, partner or similar responsibilities.
21	Nominee shareholder services	Include fees or other revenue associated with acting (or arranging for another person to act) as a nominee shareholder or services relating to holding bearer shares.
22	Professional trustee services	Include fees or other revenue associated with acting (or arranging for another person to act) as a Protector or Special Trustee or similar responsibilities.

Guidance and definitions for Part 3 (questions 6-8)

<u>Providing services and advice</u>		
23	Debt collection	<p>Please note that debt collection services are exempt from the Act under regulation 22 of the Anti-Money Laundering and Countering Financing of Terrorism (Exemptions) Regulations 2011. To the extent such activities are not exempt from the Act, include fees or other revenue associated with debt collection.</p> <p>This means the collection of debt by a person other than:</p> <ul style="list-style-type: none"> • the creditor to whom it is owed or, • to whom it was originally owed if it has been assigned. <p>Do not include the value of debt which you have not successfully collected or which otherwise does not form part of your revenue.</p>
24	Factoring services	<p>Include fees or other revenue associated with the purchase of accounts receivable (i.e. invoices) from a third party at a discount (with or without recourse).</p>
25	Cash transport or courier services	<p>Include fees or other revenue associated with the movement of cash within, into or out of New Zealand or receipt of cash from outside New Zealand. Include bearer-negotiable instruments and domestic cash transport services. Include fees or other revenue associated with these services, but not the value of all cash and/or bearer instruments transported if these amounts would not normally be considered to be 'revenue' for your business.</p>

Guidance and definitions for Part 3 (questions 6-8)

	26	Safe deposit boxes, cash storage	Include fees or other revenue associated with the provision of secure containers, including those held within a larger safe or vault. Do not include the value of all physical currency and bearer-negotiable instruments held if these amounts would not normally be considered to be 'revenue' for your business.
	27	Payroll remittance services	Include fees or other revenue associated with management of the transfer of funds between the accounts of the employer and its employees. Does not include payroll administration services for example the generation of payroll information including calculating payments and PAYE deductions. Do not include the value of all transfers made if these amounts would not normally be considered to be 'revenue' for your business.
	28	Securities registry duties and other fiduciary duties associated with securities/debt issuance	<p>Please note that securities registry services are exempt from the Act under regulation 21 of the Anti-Money Laundering and Countering Financing of Terrorism (Exemptions) Regulations 2011.</p> <p>To the extent such activities are not exempt from the Act, include fees or other revenue associated with the provision of registry and management services to an issuer or collective investment scheme, including the maintenance of a securities register, the recording of securities transfers, and administrative services in relation to corporate actions or general funds management.</p>
	<u>Cash and card services</u>		
	29	Credit cards (as issuer only)	Include fees or other revenue associated with acting as an issuer of any card offering a line of credit. Exclude debit cards, cash cards and pre-paid cards.

Guidance and definitions for Part 3 (questions 6-8)

	30	Credit cards (as processor)	Include fees or other revenue associated with acting as a processor of any card offering a line of credit. Exclude debit cards, cash cards and pre-paid cards.
	31	Card merchant facilities	Include fees or other revenue associated with offering card facilities, including mobile terminal facilities.
	32	Cash transactions (excluding ATM withdrawals, foreign currency)	<p>Include fees or other revenue associated with over the counter, face-to-face and all other channels where cash is handled, (except ATMs and foreign currency transactions).</p> <p>Make sure to include fees or other revenue associated with deposits and withdrawals of physical currency by existing customers, and occasional transactions.</p>
	33	Stored value instruments/cards	<p>Please note that some transactions involving stored value instruments/cards are excluded from the Act under regulation 15 of the Anti-Money Laundering and Countering Financing of Terrorism (Definitions) Regulations 2011.</p> <p>Include fees or other revenue associated with any portable device, including a gift facility, that is capable of storing monetary value in a form that is not physical currency, regardless of whether the device is reloadable or able to be redeemed for cash; and includes i) a portable device whose value, or associated value, is transferable to a third party or is able to be remitted; and ii) any account or other arrangement associated with the value stored on the device (does not include a credit card or a debit card).</p>
		<u>Investing</u>	

Guidance and definitions for Part 3 (questions 6-8)

	34	Sharebroking	Include fees or other revenue associated with entering into or trading on an exchange (as a broker), in an over the counter market, or otherwise, in securities, contracts, financial arrangements and all other instruments.
	35	Futures and options	Include fees or other revenue associated with dealing in any futures contract, forward agreement or option (including any cap, collar, floor or spread trade executed through options). Include mark-to-market valuation changes.
	36	Other derivatives	Include fees or other revenue associated with dealing in all other types of derivatives, such as swaps, contracts for difference, margin contracts or rolling spot contracts. Include mark-to-market valuation changes.
	37	Brokers' cash management accounts	Include fees or other revenue associated with any cash management accounts.
	37B	Other Broking Services	Include fees or other revenue associated with any other broking service (as defined in section 77B of the Financial Advisers Act 2008).
	38	Funds management, and administration of retail and wholesale funds (other than superannuation and KiwiSaver funds)	Include fees or other revenue associated with unit trusts, PIE, index funds, hedge funds, venture capital funds, private equity funds, or other managed investment scheme (MIS) etc. excluding superannuation and KiwiSaver funds.
	39	Fund management of retail and wholesale superannuation and KiwiSaver funds	Include fees or other revenue associated with all types of superannuation and KiwiSaver funds.

Guidance and definitions for Part 3 (questions 6-8)

40	Financial planning	Include fees or other revenue associated with an ' <i>investment planning service</i> ' as defined in section 11 of the Financial Advisers Act 2008.
41	Financial advice	Include fees or other revenue associated with ' <i>financial advice</i> ' as defined in section 10 of the Financial Advisers Act 2008.
42	Custodian services	Include fees or other revenue associated with providing custodial services (as defined in section 77B of the Financial Advisers Act 2008 ¹) including maintaining physical possession or legal ownership of securities on behalf of another.
43	Registry services	<p>Please note that securities registry services are exempt from the Act under regulation 21 of the Anti-Money Laundering and Countering Financing of Terrorism (Exemptions) Regulations 2011.</p> <p>Include fees or other revenue associated with providing registry services (to the extent that these services define you as a reporting entity under the Act).</p>
44	Estate administration	Include fees or other revenue associated with managing a person's estate.
45	Treasury functions (including services provided between related entities)	Include fees or other revenue associated with any treasury function within the reporting entity including any intra-group treasury transactions.
46	Issuer of securities	Include fees or other revenue associated with any issue of securities or for providing financial services in relation to such issue of securities.

¹ New definition of custodial services is inserted into section 77B by section 35 of the Financial Markets (Repeals and Amendments) Act 2013.

Guidance and definitions for Part 3 (questions 6-8)

	46B	Participating in an issue of securities	Include fees or other revenue associated with participating in any issue of securities (other than where you act as issuer) or for providing financial services in relation to such issue of securities.
	<u>Insurance</u>		
	47	Term life insurance	Include fees or other revenue associated with term life insurance.
	48	Permanent : (whole life, universal, limited-pay, endowment, accidental death)	Include fees or other revenue associated with these policies and products.
	49	Other life- related products and services associated with annuities, surrender options, etc.	Include fees or other revenue associated with all other life insurance related products and services, excluding reinsurance.
	50	Reinsurance associated with Life Insurance	Include fees or other revenue associated with life reinsurance.
	<u>Casinos</u>		
	51	Conducting electronic international money transfers in	These are inward transactions that originate from outside New Zealand.

Guidance and definitions for Part 3 (questions 6-8)

	52	Conducting electronic international money transfers out	These are outward transactions that are destined for outside of New Zealand, including movement between two foreign bank accounts held by the casino conducted from within New Zealand (for example a transfer from a bank account held in Hong Kong to a bank account in Sydney).
	53	Conducting electronic domestic money transfers in	All electronic transactions on behalf of customers that include payment instructions received from a New Zealand account.
	54	Conducting electronic domestic money transfers out	All electronic transactions on behalf of customers that include payment instructions destined for a New Zealand account.
	55	Foreign currency exchange in (including travellers cheques and cash)	This refers to exchanging foreign currency for New Zealand dollars. Include foreign exchange and/or over-the-counter money exchange services including bureaux de change. Include occasional transactions and services available to non-customers (i.e. customers that utilise the foreign exchange service but do not participate in gambling activity).
	56	Foreign currency exchange out	This refers to exchanging New Zealand dollars for foreign currency. Include foreign exchange and/or over-the-counter money exchange services including bureaux de change. Include occasional transactions and services available to non-customers (i.e. customers that utilise the foreign exchange service but do not participate in gambling activity).
	57	Cash take from table games (including chip purchase vouchers)	

Guidance and definitions for Part 3 (questions 6-8)

58	Cash take from electronic gaming machines (including tickets/tokens)	
<p>Note: Parts 59 to 67 (inclusive) are separate questions and should not be treated as parts of Question 6.2. The answers to these questions do not require you to estimate the percentage of annual revenue of your business derived from these particular activities.</p>		
59	Do you have foreign holding accounts?	
60	If yes, specify number [number]	Specify number and location for this question.
61	Do you have domestic casino operating accounts?	
62	If yes, specify number and locations [number, locations]	Specify number only for this question.
63	Do you have cheque cashing facilities?	This refers to a facility for exchanging cheques for cash or cash equivalents.
64	If yes, specify number during the year and average value [number, average value]	
65	Do you offer stored value instruments? (do not include casino chips)	

Guidance and definitions for Part 3 (questions 6-8)

66	If yes, what sort of stored value instrument is it? [describe]	
67	What estimated percentage of your gambling activity utilises stored value instruments?	
<p>Note: Parts 68 to 74 are parts of Question 6.2. The answers to these questions require you to estimate the percentage of annual revenue of your business derived from these particular activities. Together with the answers to parts 1 to 58 the total should add up to 100%.</p>		
68	Debit/credit card facilities out (exclude food and beverage purchases)	This is referring to 'cash out' facilities.
69	Cheque in	This refers to cheques being processed into a customer or casino deposit account.
70	Cheque out	This refers to cheques being issued from a casino account (excluding cheques issues for banking purposes).
	<u>Other</u>	

Guidance and definitions for Part 3 (questions 6-8)

	71	Loyalty schemes provided, e-cash and virtual credit providers	<p>Please note: Casinos currently have a Ministerial exemption that can be found here: Casino Loyalty Schemes SkyCity Entertainment Group Limited (March 2013)</p> <p>To the extent such activities are not exempt from the Act, include fees or other revenue associated with e-cash and other forms of physical currency/bearer-negotiable instruments, and virtual/internet credit value transfers. Include person-to-person transfers and value transfers to or from a bill/account, whether or not they ultimately are made to an account/facility at a financial institution.</p>
	72	Auction house	<p>To the extent not excluded from the Act, include fees or other revenue associated with auction services. Exclude online auctions.</p> <p>Please note: licensed or registered auctioneers and providers of Internet auctions are currently exempt from the AML/CFT regime under regulation 21A of the Anti-Money Laundering and Countering Financing of Terrorism (Definitions) Regulations 2011.</p>
	73	Online auctions	<p>To the extent not excluded from the Act, include fees or other revenue associated with online auctions. Exclude auction services.</p> <p>Please note: providers of Internet auctions and licensed or registered auctioneers are currently exempt from the AML/CFT regime under regulation 21A of the Anti-Money Laundering and Countering Financing of Terrorism (Definitions) Regulations 2011.</p>
	74	Other relevant products/services	<p>Include fees or other revenue associated with any other products/services covered by the Act. Specify the types of other products/services in part 6.</p>

7 – Customers/members	
<p>7.1</p> <p><i>Estimate the number of customers your reporting entity had a business relationship with during the year: [number]</i></p>	<p>Include customers who have only had a short-term business relationship and closed their account during the reporting period. Include active, inactive and dormant customers. You are not required to provide information on ‘occasional transactions’ here.</p> <p>‘Business relationship’ has the meaning given to it by section 5 of the Act: business relationship means a business, professional, or commercial relationship between a reporting entity and a customer that has an element of duration or that is expected by the reporting entity, at the time when contact is established, to have an element of duration.</p> <p>Link to Section 5 of the Act</p>
<p>7.2</p> <p><i>How many customers (question 7.1 above) are classified as politically exposed persons (PEP)? (Include your customers that are beneficially owned, controlled by, or for the benefit of a PEP.) [number]</i></p>	<p>‘Politically Exposed Persons (PEPs)’ are individuals who, by virtue of their position in public life, may be vulnerable to corruption. The New Zealand legislation currently limits this concept to foreign PEPs.</p> <p>Reporting entities are required to give specific consideration to the risks involved with PEPs and have procedures to determine whether a customer, or a beneficial owner of a customer, is a PEP or a close associate of a PEP.</p> <p>Link to Section 5 of the Act</p>
<p>7.3</p> <p><i>How many customers (question 7.1 above) are trusts or other vehicles for holding personal assets?</i></p>	<p><i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i></p>

7 – Customers/members	
<i>[number]</i>	
7.4 <i>How many customers (refer question 7.1 above) are non-residents?</i> <i>[number]</i>	<i>'Non-resident'</i> means individuals (natural persons) who are not ordinarily resident in New Zealand and entities (non-natural persons) who do not have their principal place of business in New Zealand.
7.5 <i>If customers are non-residents, estimate percentages as at the end of the year [%]</i>	Estimate the percentage (%) of customers in each category below, as at the end of your reporting entity's most recent full financial year. Please enter 0% for categories that are not applicable. Note: Some customers will have more than one address. (For example, one for correspondence, and one for the customer's home residence. Some customers who live overseas for the purpose of their job may have a 'care of' address). Take care to establish whether the customer is or is not ordinarily resident in New Zealand.
Type 1: <i>NZ resident individuals</i>	Include joint accounts and children. Exclude entities and any type of organisation (e.g. a social club, company, charity or family trust).
Type 2: <i>Non-resident individuals</i>	Individuals (natural persons) who are not ordinarily resident in New Zealand.
Type 3: <i>NZ resident entities</i>	Includes: <ul style="list-style-type: none"> • any type of New Zealand entity or organisation (including company, association, trust, charity or foundation, club or society) that is incorporated/registered/etc. in New Zealand and has a principal place of business in New Zealand, even if the owners/controllers/directors/trustees are overseas; • New Zealand government bodies/agencies.

7 – Customers/members	
	<p>Exclude:</p> <ul style="list-style-type: none"> • individuals; • overseas entities (refer to Type 5 below).
Type 4: <i>Non-resident entities</i>	<p>Includes any type of entity or organisation (whether or not it is incorporated/registered/etc. in New Zealand) that does not have its principal place of business in New Zealand.</p> <p>Exclude overseas government bodies (refer to type 5 below).</p>
Type 5: <i>Overseas government bodies (or similar)</i>	Any overseas government or body or agency or intergovernmental organisation.
Type 6: <i>Other</i>	If 'Other' is selected, specify the type of customer in the space provided.
Total = 100%	

8 - Channels	
8.1 <i>Estimate the proportion of your new customers who were accepted via the following methods during</i>	<p>For each of the methods your reporting entity uses for on-boarding and accepting customers, please state the percentage (%) of new customers accepted. Include new customers referred from any source, including overseas or group referrals. Include new customers to your reporting entity that are existing customers of your group or parent.</p> <p>If an intermediary/financial adviser has referred a new policy which is 'repeat annual business' for an existing customer of your</p>

8 - Channels	
<i>the year</i>	reporting entity, please do not include these in your estimate of new customers. <u>Percentages should add up to 100% overall.</u>
Channel 1: <i>Face-to-face</i>	'Over-the-counter' or similar interaction between the reporting entity's staff and the customer. (Exclude interaction via an intermediary - refer to Channels 3 and 4 below).
Channel 2: <i>Non face-to-face</i>	Non face-to-face. Remote interaction including (without limitation) telephone, internet, mail, e-mail, social networking, and direct marketing. Include any other method except/excluding interaction with customers via/involving an intermediary (see below).
Channel 3: <i>Domestic intermediaries/agents/third party referral</i>	All third parties and intermediaries who are physically located and operating in New Zealand. Intermediaries include all third parties making referrals and introductions of business. Include accountants, solicitors, brokers and agents, whether independent or tied advisers. Do not include new customers obtained by employees of the reporting entity even where those employees do not work at the reporting entity's main address (refer to channel 1).
Channel 4: <i>Overseas intermediaries/agents/third parties referral</i>	All third parties and intermediaries who are not physically located and operating in New Zealand. Intermediaries include all third parties making referrals and introductions of business. Include accountants, solicitors, brokers and agents, including independent or tied advisers. Do not include new customers obtained by employees of the reporting entity working abroad (refer to channel 1).
Channel 5: <i>Other</i>	If 'Other' is selected, specify the details of this method in the space provided.
Total = 100%	

Part 4 – Answer all questions from your relevant AML/CFT Supervisor

The following questions are sector specific. Please answer the questions that are relevant to the AML/CFT Supervisor of your reporting entity.

9 – Questions from the Reserve Bank of New Zealand	
Institutions that your reporting entity deals with	
9.1 <i>For this section,—</i> <i>(a) count the number of relationships you have, according to the 4 types stated in the table in question 9.2; and</i> <i>(b) use your own country risk assessment document to categorise these relationships into the 3 categories stated in the table in question 9.2; and</i> <i>(c) record the version and date of your country risk assessment in the notes to Part 6</i>	
9.2 <i>Count your relationships with all entities for the purpose of establishing accounts, authenticating instructions, and providing payment or other clearing-related services and provide the results in the following table.</i> <i>Record the version and date of your country risk assessment in notes section in Part 6</i> Include non-standard messaging systems and non-electronic methods, regardless of whether they are infrequently used.	
RB.1	Correspondent banking relationships (cross border only). Link to Section 29 of the Act <i>Please record only dual key exchanges in this question. If your firm has single key exchanges with entities operating outside New Zealand, please record these in RB.2 below.</i>
RB.2	Other respondents (including partial-SWIFT key/RMA, telex and all alternative and non-electronic channels) (domestic and cross border).

	All types of account or messaging services that have been established to authenticate instructions from, transfer value on behalf of, or provide payment or other clearing-related services. Include both financial institutions and non-financial entities.
RB.3	Relationships where there is a written agreement (i.e. lending syndication, card payment programme, mobile banking, etc.) Your written agreements/agency agreements with a third party/ parties (excluding DBG members)
RB.4	Other relationships relevant to the delivery of products and services. Include relationships for the delivery of products and services, where there may be no formal written agreement.
<p>9.3 Use your answers to the question in 6.1 and 6.2, estimate the gross value and number of transactions settled during the year for the following:</p> <p><i>Estimate the value and number of all transactions settled by your reporting entity during the year. Add the number of receipts and payments together, record the total number, and repeat for value –</i></p> <p><i>Gross number of transactions [number]</i></p> <p><i>Gross value of transactions (NZD): \$[amount]</i></p>	
RB.5	Domestic (New Zealand) receipts and payments When the ordering institution, the intermediary institution, and the beneficiary institution are all in New Zealand.
RB.6	International receipts and payments Any cross-border fund transfers or movement of funds originating from <u>or</u> destined for New Zealand.

10 - Questions from the Financial Markets Authority											
10.1 Identify which sub-sector your reporting entity belongs to Tick/mark if Yes	'Trustee corporation'										
	'Futures dealer'										
	'Collective investment scheme manager'										
	'Broker'										
	'Financial advisors'										
'	'Issuer of securities'										
	Other (please specify)										
10.2 Refer to your previous answer to question 7.4 ("how many of your total customers are non-resident customers?"). List the top 5 countries (high to low in descending order) according to where the largest numbers of your non-resident customers are: [list]	<p>This question refers to the total number of customers resident in any overseas country not the total value of transactions from customers in any overseas country:</p> <table border="1"> <tbody> <tr> <td>1 (highest)</td> <td></td> </tr> <tr> <td>2</td> <td></td> </tr> <tr> <td>3</td> <td></td> </tr> <tr> <td>4</td> <td></td> </tr> <tr> <td>5 (lowest)</td> <td></td> </tr> </tbody> </table>	1 (highest)		2		3		4		5 (lowest)	
1 (highest)											
2											
3											
4											
5 (lowest)											

11 - Questions from the Department of Internal Affairs

Money remittance and mobile phone remittance (include casino electronic money transfer/wire transfer)

<p>11.1</p> <p><i>Name the three (3) countries your business receives the most transactions from and the average monthly number of your inward transactions</i></p>	<p>Select the country from the drop down list and enter the average monthly number of inward transactions in the space provided.</p> <p>Inward transactions are transactions originating from outside New Zealand.</p>																				
<p>11.2</p> <p><i>Name the three (3) countries your business sends the most transactions to and the average monthly number of your outward transactions</i></p>	<p>Select the country from the drop down list and enter the average number of outward transactions in the space provided</p> <p>Outward transactions are transactions going outside New Zealand.</p>																				
<p>11.3</p> <p><i>Do you provide the following payment methods? If yes, estimate the average monthly value of all transactions settled during the year (Enter nil or value):</i></p> <table border="1"> <thead> <tr> <th></th> <th>Total monthly average (NZD\$)</th> <th>Monthly \$ average as an ordering institution</th> <th>Monthly \$ average as a beneficiary institution</th> <th>Monthly \$ average as an intermediary institution</th> </tr> </thead> <tbody> <tr> <td><i>Cash</i></td> <td></td> <td><i>n/a</i></td> <td><i>n/a</i></td> <td><i>n/a</i></td> </tr> <tr> <td><i>Bearer negotiable instruments</i></td> <td></td> <td><i>n/a</i></td> <td><i>n/a</i></td> <td><i>n/a</i></td> </tr> <tr> <td><i>Domestic wire transfers/electronic funds transfers</i></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			Total monthly average (NZD\$)	Monthly \$ average as an ordering institution	Monthly \$ average as a beneficiary institution	Monthly \$ average as an intermediary institution	<i>Cash</i>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>Bearer negotiable instruments</i>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>Domestic wire transfers/electronic funds transfers</i>				
	Total monthly average (NZD\$)	Monthly \$ average as an ordering institution	Monthly \$ average as a beneficiary institution	Monthly \$ average as an intermediary institution																	
<i>Cash</i>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>																	
<i>Bearer negotiable instruments</i>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>																	
<i>Domestic wire transfers/electronic funds transfers</i>																					

11 - Questions from the Department of Internal Affairs

Foreign wire transfers/electronic funds transfers

Trust and company service providers (TCSPs)

11.4

*Estimate the total number of clients currently on your books:
[number]*

Please contact your AML/CFT Supervisor if you require further guidance on this question.

11.5

*State the number of full-time-equivalent staff you employ:
[number]*

Please contact your AML/CFT Supervisor if you require further guidance on this question.

11.6

Do you incorporate companies or form any type of entity/trust in overseas jurisdictions (outside New Zealand)?

Yes/No
Select one

Please contact your AML/CFT Supervisor if you require further guidance on this question.

11.7

Do you handle the receipt and

Please contact your AML/CFT Supervisor if you require further guidance on this question.

11 - Questions from the Department of Internal Affairs

<p><i>transmission of client money?</i></p> <p>Yes/No*</p> <p>*Select one.</p>	
<p>11.8</p> <p><i>Do you manage clients' bank accounts?</i></p> <p>Yes/No*</p> <p>*Select one</p>	<p><i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i></p>
<p>11.9</p> <p><i>For your clients that are corporations with shares in bearer form, do your policies provide for maintaining the physical control of those bearer shares to ensure that ownership of the corporate entity does not change without your knowledge?</i></p> <p>Yes/No*</p> <p>*Select one</p>	<p><i>'Bearer shares' are shares owned by the person who holds the physical share certificate at any given time.</i></p>

11 - Questions from the Department of Internal Affairs

Providers of safe deposit boxes	
11.10 <i>Estimate the total number of safe deposit boxes you currently have in use: [number]</i>	<i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i>
11.11 <i>Estimate the average number of times these boxes are accessed each month: [number]</i>	<i>Please contact your AML/CFT Supervisor if you require further guidance on this question.</i>

Part 5 Conditions of Ministerial exemption

The questions in part 5 relate to reporting entities that have been granted an [exemption from the Act by the Minister of Justice](#). If your Ministerial exemption exempts you from section 60 of the Act in relation to all relevant services, then you are not required to complete any parts of the annual report.

(Unless and until a Ministerial exemption is granted, reporting entities will be expected to comply with obligations under the Act)