

Ministerial Exemptions Under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009

In accordance with section 157(6)(b) of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009, the Associate Minister of Justice gave notice on that he has granted the following exemption from the Act:

Ministerial Exemption: Anglican Church in the Diocese of Christchurch and Church Property Trustees

Exempting the Anglican Church in the Diocese of Christchurch and Church Property Trustees (CPT) in respect of its financial services provided to Te Hui Amorangi o Te Waipounamu (“Te Hui Amorangi”) from the following provisions of the Act:

- a. Sections 10–71 inclusive.

This exemption is subject to the following conditions:

- a. The exemption only applies in relation to services provided by CPT to Te Hui Amorangi;
- b. CPT and Te Hui Amorangi remain charitable trusts pursuant to the Charities Act 2005; and
- c. CPT must inform the Ministry of Justice of any changes that may affect the exemption within 10 working days of when the change occurs.

This exemption has been granted for the following reasons:

- a. the risk of money laundering and terrorist financing associated with the financial services provided by CPT to Te Hui Amorangi is low. This is due to the origin and nature of the funds received by Te Hui Amorangi and what the funds are used for. The funds—
 - i. are mostly from other “Bishoprics”;
 - ii. primarily comprise donated funds and proceeds from the sale of donated assets; and
 - iii. are solely used to advance charitable causes, rather than being donated directly to any individuals, which would increase the money laundering/terrorism financing (“ML/TF”) risk;
- b. In light of the low ML/TF risk associated with the financial services provided by CPT to Te Hui Amorangi, granting this exemption would have little to no impact on the prevention, detection and prosecution of ML/TF offences;
- c. CPT, in the absence of an exemption, would be subject to an undue regulatory burden. This is because the regulatory burden would be disproportionate to the low level of ML/T risk in relation to the financial services provided by CPT to Te Hui Amorangi; and
- d. granting this exemption is unlikely to affect third-party reporting entities. This is because CPT has no business competitors as it is a charitable organisation. This exemption only applies to services provided by CPT to Te Hui Amorangi.

This exemption comes into force on 14 November 2019.

This exemption will expire on 31 October 2024.

Any person wishing to provide comment on this notice should contact the Terrorism and Law Enforcement Stewardship Team at the Ministry of Justice by emailing amlcft.exemptions@justice.govt.nz.