

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 (“Act”), the Associate Minister of Justice gave notice on 15 March 2021 that he has granted the following exemption from the Act:

Ministerial Exemption: Jubilee Christian Charitable Trust

Exempting Jubilee Christian Charitable Trust (“Jubilee”) in relation to its interest free loan and funds management service from the following provisions of the Act:

- a. section 10–71 of the Act.

This exemption is made subject to the following conditions:

- a. Jubilee remains a registered charity pursuant to the Charities Act 2005;
- b. Jubilee must maintain its familiarity with its customers, and the internal identify verification checks; and
- c. Jubilee must inform the Ministry of any material change that may affect the exemption within 10 working days from when the change affecting the exemption occurs.

This exemption has been made for the following reasons:

- a. Jubilee is a not-for-profit charitable entity with an overarching purpose to assist low income individuals. The financial services provided by the Jubilee are limited in order to meet this specific purpose;
- b. the services are offered to specific customers (clients referred through the Jubilee Budget Advisory Service) and internal processes confirm the identity of the applicants and the purpose for which the services will be used;
- c. the client is well known to Jubilee or the Jubilee Budget Advisory Service Ltd. Jubilee has regular contact with the clients, approximately every three to four months. The relationship between the client, Jubilee and the Budget Service is maintained until the debt/loan is repaid. These requirements ensure that Jubilee has visibility over transactions and is able to identify suspicious activity;
- d. the financial services represent only a very small part of Jubilee’s activities. The funds management service currently has 52 participants. The loans are low value (the maximum cap is \$1,500) and low volume (there are 11 outstanding loans);
- e. all payments made to creditors are done on behalf of clients. No payments are made in cash;
- f. Jubilee’s income is derived solely from investments and interests from term deposits. Non-refundable donations are accepted, and grants are not sought; and
- g. independent auditors are engaged annually.

This exemption comes into force on 9 March 2021.

This exemption will expire on 9 March 2026.

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.