

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

In accordance with section 157 of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (“Act”), the Associate Minister of Justice granted the following exemption from the Act:

Ministerial Exemption: New Zealand Lotteries Commission

Exempting The New Zealand Lotteries Commission (“NZLC”) from:

- a. Sections 10–71 of the Act.

In respect of its MyLotto Accounts.

The exemption is subject to the following condition:

- a. NZLC must inform the Ministry of Justice of any changes that may affect the exemption and/or conditions imposed by this written instrument within 10 working days from which the change affecting the exemption occurs.

The exemption with this condition has been granted because, on balance, LMCCT presents a low risk of money laundering or terrorism financing (“ML/TF”), as set out below:

- a. NZLC is established, and regulated, under the Gambling Act, which establishes the functions and governs the parameters within which NZLC must act. Profits must be transferred to the New Zealand Lottery Grants Board and distributed for community purposes.
- b. MyLotto Accounts must be held by individual customers. They cannot be held anonymously or by an intermediary on behalf of a customer. A customer cannot open more than one MyLotto Account.
- c. Users must reside in New Zealand and provide a nominated New Zealand bank account in their name.
- d. Customers can only top up their MyLotto Account by transferring funds directly from their nominated New Zealand bank account or with a New Zealand issued Visa or Mastercard debit or credit card. Top-ups with cash or with overseas issued debit or credit cards are not possible.
- e. MyLotto Accounts cannot be loaded with, or provide access to, foreign currencies.
- f. Money loaded onto MyLotto Accounts can only be used to buy Lotto NZ games.
- g. MyLotto Accounts have a maximum balance and spending limits are set.
- h. Customers cannot withdraw cash. Refunded from the MyLotto Account can only be made directly to the customer’s New Zealand bank account.

The exemption comes into force on 30 June 2023.

The exemption will expire on 30 June 2028.

Any person wishing to provide comment on this notice should contact **the Criminal Law Team at the Ministry of Justice** by emailing exemptions@justice.govt.nz.