



Ref: OIAC 76

W Forest
fyi-request-28779-8675ae2e@requests.fyi.org.nz

Dear Miss Forest

Official Information Act request: Anti-Money Laundering and Countering Financing of Terrorism Act

Thank you for your email of 17 October 2024 requesting, under the Official Information Act 1982 (the Act), information regarding the amendments to the Anti-Money Laundering and Countering Financing of Terrorism Act (the AML/CFT Act). Specifically, you requested:

Please provide the Bill of Rights and Human Rights reports & assessments that have been done relating to the AML/CTF required address verification obligations -- specifically pertaining to No Fixed Address provisions where people do not have fixed address.

On 7 November 2024, your request was transferred to me for response as Associate Minister of Justice. I have interpreted your request to be for documents relating to the AML/CFT address verification amendment in the Statutes Amendment Bill.

I am refusing your request under section 18(e) of the Act as the information requested does not exist.

However, in 2022, the Ministry of Justice completed a Statutory Review of the AML/CFT Act. The Statutory Review identified that address verification is one of the major barriers to opening bank accounts for vulnerable people and those with no fixed address. The Statutory Review recommended exempting the address verification requirement for all customers, beneficial owners, and persons acting on behalf of a customer other than when enhanced customer due diligence is required.

The intent of the address verification amendment in the Statutes Amendment Bill is to remove this requirement from standard customer due diligence and only require it under enhanced customer due diligence. Enhanced customer due diligence is required for certain types of transactions or activities. For example, a customer seeking to conduct a complex, unusually large transaction or unusual pattern of transactions with no apparent economic or lawful purpose.

Furthermore, you may find the following documents useful:

- The report assessing the Statutes Amendment Bill's consistency with the New Zealand Bill of Rights Act is available at: [20240923-Statutes-Amendments-Bill-Consistency-with-NZBORA-signed-by-AG-for-publishing.pdf](#)
- Address verification changes were originally included in the AML/CFT Early Regulatory Proposals but were subsequently removed. The Regulatory Impact Statement for the AML/CFT Early Regulatory Proposals is available at: [justice.govt.nz/assets/Documents/Publications/RIS-AMLCFT-Early-Regulatory-Proposals.pdf](#)
- The public consultation documents and summary of consultation on the Statutory Review of the AML/CFT Act is available at: <https://consultations.justice.govt.nz/policy/aml-cft-review/>

I hope this information provides clarity regarding the purpose and function of the address verification amendment in the Statutes Amendment Bill.

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Thank you for writing.

Yours sincerely

A handwritten signature in brown ink, appearing to read 'Nicole McKee', written in a cursive style.

Hon Nicole McKee
Associate Minister of Justice