

**aml**

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**From:** [REDACTED]@chrystall-law.co.nz>  
**Sent:** Friday, 15 October 2021 6:45 pm  
**To:** aml  
**Subject:** AML Review/feedback

Good evening,

The request for feedback is as unworkable as the legislation itself.

I received an email with two options to provide my feedback – One was via an email link to the Ministry of Justice and the other option was a link to the Ministry of Justice website which, once clicked, repeated the same information that was in the email and stated that I could provide feedback by completing the online survey via “Citizen Space” or email. I clicked on the link to complete the online survey, but it took me to yet another Ministry of Justice webpage which stated I could email or post my feedback to the Ministry. Each page I visited repeated the same information about the review – none provided an online survey.

I have no issue with taking reasonable steps to verify the identity of our clients or reporting wire transfers and suspicious activity, but the current “process” is too uncertain and time consuming. The requirement to have lengthy policy documents that must also be regularly reviewed is time consuming and impractical. A simple checklist for each industry would be more effective. The checklist should comprise an industry specific transaction risk assessment and a summary of the client information required.

The AML requirements are confusing and are not entirely consistent with the Landonline guidelines for e-dealings which ideally should be reconciled to the same standard.

AML client due diligence reduced our productivity by 50% for several years and now we spend approximately ¼ of our time on client due diligence which has also necessitated employing a part time employee to upload the information to Infinity Law. The affect on our productivity and stress levels is very concerning.

Our first AML audit was farcical as the auditor had no more idea than we did over what we should be doing, and it cost us over \$3,000 for the privilege of partaking in a blind leading the blind scenario.

If the Ministry is serious about encourage a more effective streamlined AML process amongst lawyers, I suggest the following:

- Discard the pointless paper policies requiring a policy for reviewing the policy about making a policy.
- Develop succinct industry specific checklists for risk assessment and information gathering that can be applied to each client/transaction – I recommend this be done in conjunction with the NZLS and the Property Law Section.
- Birth Deaths and Marriages cross reference every certificate issued so death certificates record the same details as the deceased’s birth and marriage certificates.
- Waka Kotahi issue drivers licences in the name that appears on the applicant’s birth certificate or marriage certificate.
- DIA and LINZ reconcile their proof of identity guidelines for consistency – and please include a contents page.
- NZ Immigration needs to fact check every business visa application – if we are picking up anomalies then the process isn’t robust enough e.g., prospective motel lessees.
- Reconcile AML, FATCA and CRS requirements.

I hope this is the sort of feedback you are looking for.

Regards,

[REDACTED]

Director

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